

**EXHIBIT 37**

1 IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY

2 MONIQUE RUSSELL, et al. :

3 Plaintiffs : Case No.:

4 Vs. : CAL17-22761

5 DIMENSIONS HEALTH CORP., : CAL17-37091

6 et al. : CAL18-07863

7 Defendants :

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10 Deposition of DESIRE N. EVANS, was taken  
11 via videotape on Thursday, March 28, 2019,  
12 commencing at 10:04 a.m., at Schochor, Federico &  
13 Staton, P.A., The Paulton, 1211 St. Paul Street,  
14 Baltimore, Maryland, before MICHELE D. LAMBIE,  
15 Notary Public.

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21 Reported By: Michele D. Lambie, CSR-RPR



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<p>1 APPEARANCES:</p> <p>2 ON BEHALF OF THE PLAINTIFFS:</p> <p>3 Schochor, Federico &amp; Staton, P.A.</p> <p>4 TARA CLARY, ESQUIRE</p> <p>5 tclary@sfspa.com</p> <p>6 The Paulton</p> <p>7 1211 St. Paul Street</p> <p>8 Baltimore, Maryland 21202</p> <p>9 (410) 234-1000</p> <p>10</p> <p>11 ON BEHALF OF THE DEFENDANTS:</p> <p>12 Pessin Katz Law, P.A.</p> <p>13 BRIAN M. CATHELL, ESQUIRE</p> <p>14 bcathell@pklaw.com</p> <p>15 901 Dulaney Valley Road, Suite 400</p> <p>16 Towson, Maryland 21204</p> <p>17 (410) 938-8800</p> <p>18</p> <p>19</p> <p>20 ALSO PRESENT: Sam Varipapa - Videographer</p> <p>21</p>	<p>1 PROCEEDINGS</p> <p>2 (Whereupon, Evans Deposition Exhibit 1,</p> <p>3 Answers to Interrogatories, marked for</p> <p>4 identification.)</p> <p>5 THE VIDEOGRAPHER: Good morning. We are</p> <p>6 now on the record at 10:04 a m., March 28, 2019.</p> <p>7 This is media unit number one in the</p> <p>8 video-recorded deposition of Desire Evans taken in</p> <p>9 the matter of Monique Russell, et al v. Dimensions</p> <p>10 Health Corp., et al. filed in the Circuit Court for</p> <p>11 Prince George's County, Case Numbers CAL17-22761,</p> <p>12 CAL17-37091, and CAL 18-07863.</p> <p>13 This deposition is being held at the</p> <p>14 office of Schochor, Federico and Staton located at</p> <p>15 1211 St. Paul Street, Baltimore, Maryland.</p> <p>16 My name is Sam Varipapa on behalf of</p> <p>17 Veritext, and I'm today's videographer. The court</p> <p>18 reporter is Michele Lambie, also on behalf of</p> <p>19 Veritext.</p> <p>20 At this time, will Counsel now state</p> <p>21 their appearances and affiliations for the record</p>														
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<p>1 EXAMINATION INDEX</p> <p>2</p> <table border="0"> <tr> <td>WITNESS: DESIRE N. EVANS</td> <td>PAGE</td> </tr> <tr> <td>3 DIRECT BY MR. CATHELL</td> <td>5</td> </tr> <tr> <td>CROSS BY MS. CLARY</td> <td>122</td> </tr> <tr> <td>4 REDIRECT BY MR. CATHELL</td> <td>124</td> </tr> </table> <p>5</p> <p>6 EXHIBIT INDEX</p> <p>7 (Attached to Transcript.)</p> <p>8 MARKED</p> <table border="0"> <tr> <td>DESIRE N. EVANS</td> <td></td> </tr> <tr> <td>9 Exhibit 1 Answers to Interrogatories</td> <td>4</td> </tr> <tr> <td>10 Exhibit 2 Consent Form</td> <td>85</td> </tr> </table> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>	WITNESS: DESIRE N. EVANS	PAGE	3 DIRECT BY MR. CATHELL	5	CROSS BY MS. CLARY	122	4 REDIRECT BY MR. CATHELL	124	DESIRE N. EVANS		9 Exhibit 1 Answers to Interrogatories	4	10 Exhibit 2 Consent Form	85	<p>1 beginning with the party that noticed this</p> <p>2 proceeding?</p> <p>3 MR. CATHELL: Brian Cathell on behalf of</p> <p>4 the Defendants.</p> <p>5 MS. CLARY: Tara Clary on behalf of the</p> <p>6 Plaintiff.</p> <p>7 THE VIDEOGRAPHER: Michele, would you</p> <p>8 administer oath?</p> <p>9 DESIRE N. EVANS</p> <p>10 the Deponent, called for examination by the</p> <p>11 Defendants, being first duly sworn to tell the</p> <p>12 truth, the whole truth, and nothing but the truth,</p> <p>13 testified as follows:</p> <p>14 DIRECT EXAMINATION</p> <p>15 BY MR. CATHELL:</p> <p>16 Q. Good morning, Ms. Evans. I introduced</p> <p>17 myself off the -- off the record. My name is</p> <p>18 Brian. Have you given a deposition before today?</p> <p>19 A. No, sir.</p> <p>20 Q. Okay. So, just a few ground rules. The</p> <p>21 first is if you feed a break today for any reason</p>
WITNESS: DESIRE N. EVANS	PAGE														
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<p>1 or no reason, that is okay, and you can just let us</p> <p>2 know. We're happy to take a break for you to go to</p> <p>3 the bathroom, to get more water, or just to get</p> <p>4 some fresh air, okay? So, we're not holding you</p> <p>5 hostage, all right?</p> <p>6 A. Okay.</p> <p>7 Q. The second is she is taking down</p> <p>8 everything that we say, and she can't take down</p> <p>9 non-verbal responses, such as head nods or um-hums</p> <p>10 or huh-uhs, things like that, so the responses</p> <p>11 should be yes, no, I don't know, or another verbal</p> <p>12 response, --</p> <p>13 A. Okay.</p> <p>14 Q. -- is that fair?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. If I ask you a question that you</p> <p>17 don't understand, which is entirely possible,</p> <p>18 please let me know, and I am happy to rephrase it</p> <p>19 as many times as I need to so that you can</p> <p>20 understand it, okay?</p> <p>21 A. Yes.</p>	<p>1 A. Desire Nicole Evans.</p> <p>2 Q. And what is your current address?</p> <p>3 A. 4057 Parker Court, Waldorf, Maryland</p> <p>4 20602.</p> <p>5 Q. And how long have you lived at that</p> <p>6 address?</p> <p>7 A. About one year.</p> <p>8 Q. And what is your date of birth?</p> <p>9 A. March 25th, 1979.</p> <p>10 Q. And have you gone by any other names or</p> <p>11 aliases?</p> <p>12 A. No, sir.</p> <p>13 Q. And it's my understanding that you are</p> <p>14 married?</p> <p>15 A. Yes, and this is actually my married</p> <p>16 name. Sorry.</p> <p>17 Q. Okay. That's all right. Prior to being</p> <p>18 married, what was your maiden name?</p> <p>19 A. Clifton.</p> <p>20 Q. And how many times have you been married?</p> <p>21 A. Once.</p>
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<p>1 Q. If we're talking about times or a</p> <p>2 situation that is confusing, please let me know</p> <p>3 that, because I don't want you to answer questions</p> <p>4 that you don't fully understand, and I'm happy to</p> <p>5 clarify to the best -- to the extent that I can to</p> <p>6 get the specific question out that you understand</p> <p>7 so that you can provide an answer, okay?</p> <p>8 A. Yes.</p> <p>9 Q. Lastly, I know that we are going to be</p> <p>10 talking about some sensitive topics today, and I</p> <p>11 assure you it's not my goal, it's not my intent,</p> <p>12 and I don't take any pleasure in asking you about</p> <p>13 those things.</p> <p>14 This is our opportunity to explore class</p> <p>15 certification, and so there are certain issues</p> <p>16 that -- in -- in our investigation that I need to</p> <p>17 explore with you, --</p> <p>18 A. Okay.</p> <p>19 Q. -- okay?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And what is your full name?</p>	<p>1 Q. And on what date were you married to</p> <p>2 Mr. Evans?</p> <p>3 A. December 31st, 2015.</p> <p>4 Q. And you've remained married and living in</p> <p>5 the same home since that time?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. How many children do you have?</p> <p>8 A. One.</p> <p>9 Q. And what is the child's name?</p> <p>10 A. Peyton.</p> <p>11 Q. With an A or an E?</p> <p>12 A. E.</p> <p>13 Q. And I assume Peyton was born in March of</p> <p>14 2016?</p> <p>15 A. Yes. March 17th, 2016.</p> <p>16 Q. And is Peyton a healthy child?</p> <p>17 A. Yes.</p> <p>18 Q. And has Peyton lived with you since his</p> <p>19 birth on March 17th, --</p> <p>20 A. Yes.</p> <p>21 Q. -- 2016?</p>

<p style="text-align: right;">Page 10</p> <p>1 A. Yes.</p> <p>2 Q. So, living in your home is, it's you,</p> <p>3 Peyton, and Mr. Evans, correct?</p> <p>4 A. And Piper, our dog.</p> <p>5 Q. Okay. Dogs count nowadays.</p> <p>6 MS. CLARY: Absolutely.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. And at the time you became involved with</p> <p>9 Dr. Akoda, and we're going to explore that in depth</p> <p>10 in a few minutes, but in December of 2015, who was</p> <p>11 living in your home?</p> <p>12 A. It was my husband and I.</p> <p>13 Q. Okay. And you worked with your attorneys</p> <p>14 in this case to provide information or to draft</p> <p>15 Answers to Interrogatories, do you recall doing</p> <p>16 that?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And I have a copy of your signed</p> <p>19 Answers to Interrogatories, which include, among</p> <p>20 other information, a, a list of your residential</p> <p>21 history, so I'm going to show you that. I'll ask</p>	<p style="text-align: right;">Page 12</p> <p>1 MS. CLARY: Sure.</p> <p>2 BY MR. CATHELL:</p> <p>3 Q. Do you hold any degrees or</p> <p>4 certifications?</p> <p>5 A. No, not currently.</p> <p>6 Q. And what is your highest level of</p> <p>7 education?</p> <p>8 A. I graduated high school, and I'm</p> <p>9 currently in college now.</p> <p>10 Q. And what year did you graduate high</p> <p>11 school?</p> <p>12 A. '97.</p> <p>13 Q. Okay. And where are you in college?</p> <p>14 A. Strayer University.</p> <p>15 Q. And what are you studying?</p> <p>16 A. Cyber security.</p> <p>17 Q. We might need to retain you. Our firm</p> <p>18 was just attacked by ransom-ware.</p> <p>19 MS. CLARY: I heard this. You were off</p> <p>20 line for a week. Was it like bliss or hell?</p> <p>21 MR. CATHELL: It was terrible.</p>
<p style="text-align: right;">Page 11</p> <p>1 you if you signed the document, and then if you'll</p> <p>2 just look at answer to Interrogatory Number 1, that</p> <p>3 will save me the time of having to go through each</p> <p>4 place that you lived, --</p> <p>5 A. Um-hum.</p> <p>6 Q. -- is that fair?</p> <p>7 A. Yes.</p> <p>8 MS. CLARY: Do you want the first</p> <p>9 signature?</p> <p>10 MR. CATHELL: The second. The last page,</p> <p>11 please, or it may be the third.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. Is that your signature?</p> <p>14 A. Yes.</p> <p>15 Q. And reviewing answer to Interrogatory</p> <p>16 Number 1, is your residential history accurate as</p> <p>17 you sit here today?</p> <p>18 A. Yes.</p> <p>19 MS. CLARY: Do you want her to keep this?</p> <p>20 MR. CATHELL: Sure. We'll get back to</p> <p>21 that.</p>	<p style="text-align: right;">Page 13</p> <p>1 MS. CLARY: Okay.</p> <p>2 MR. CATHELL: No phones, no email.</p> <p>3 THE WITNESS: Wow.</p> <p>4 MS. CLARY: I would have called that</p> <p>5 bliss, but, you know, the other side of the table</p> <p>6 here.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. Are you currently employed?</p> <p>9 A. Yes.</p> <p>10 Q. And where are you employed?</p> <p>11 A. Blue Cross Blue Shield.</p> <p>12 Q. When do you -- when do you anticipate</p> <p>13 receiving a degree from Strayer University?</p> <p>14 A. I should have my -- I won't have my</p> <p>15 degree until 2021, but my first certification I'll</p> <p>16 have in December.</p> <p>17 Q. And is -- are you working to obtain a</p> <p>18 bachelor's --</p> <p>19 A. Yes.</p> <p>20 Q. -- or -- okay. Bachelor's of Science?</p> <p>21 A. Yes, sir.</p>

<p style="text-align: right;">Page 14</p> <p>1 Q. And what certification will you get in</p> <p>2 December?</p> <p>3 A. My Comptiaa. C-O-M-P-T-I-A-A.</p> <p>4 Q. And is that a cyber security</p> <p>5 related --</p> <p>6 A. Yes.</p> <p>7 Q. -- certification? Good for you. In your</p> <p>8 Answers to Interrogatories -- we're going to just</p> <p>9 briefly talk about your employment history.</p> <p>10 I believe in Interrogatory Number 16, if</p> <p>11 you'll look, you listed out your past employment</p> <p>12 positions?</p> <p>13 A. That would be page 16? Is that what that</p> <p>14 means, Number 16?</p> <p>15 Q. Yeah. And I just realized I marked my</p> <p>16 copy, so let me mark this copy. That might</p> <p>17 be --</p> <p>18 A. Oh, I see it. I see, Number 16.</p> <p>19 MS. CLARY: You got it?</p> <p>20 THE WITNESS: Um-hum.</p> <p>21 MR. CATHELL: Let me switch the copies.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. And since 2015, have you missed any</p> <p>2 significant period of time from work for any</p> <p>3 reason, other than a vacation?</p> <p>4 A. Yes.</p> <p>5 Q. Okay.</p> <p>6 A. Currently, Sundays, since -- since this</p> <p>7 has happened, I've been on FMLA. I have 24 hours a</p> <p>8 week to where I can, I guess, call out or if I have</p> <p>9 to go to the doctors or I have a video appointment</p> <p>10 with my doctors or whatever the case may be, so</p> <p>11 I've missed a significant amount of work in the</p> <p>12 past year and a half.</p> <p>13 Q. Okay. Let's -- let's explore that more</p> <p>14 when I -- when we get --</p> <p>15 A. Okay.</p> <p>16 Q. -- determine specific dates of -- of when</p> <p>17 you learned about certain things.</p> <p>18 A. Um-hum.</p> <p>19 Q. And I promise, I'll come back to it.</p> <p>20 Other than the FMLA --</p> <p>21 A. No.</p>
<p style="text-align: right;">Page 15</p> <p>1 (Document tendered.)</p> <p>2 BY MR. CATHELL:</p> <p>3 Q. Thank you.</p> <p>4 A. Yes, sir.</p> <p>5 Q. Is your employment history as listed</p> <p>6 accurate as you sit here today?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. You've been with CareFirst Blue</p> <p>9 Cross Blue Shield since 2015, correct?</p> <p>10 A. Yes.</p> <p>11 Q. And you're a senior customer service</p> <p>12 advisor?</p> <p>13 A. Yes.</p> <p>14 Q. Briefly describe for me your roles and</p> <p>15 responsibilities there, please.</p> <p>16 A. I deal with customer issues, customer</p> <p>17 complaints, benefit questions, resolving issues, or</p> <p>18 escalation of iss- -- issues, and that's about it.</p> <p>19 Q. And have you been full time there since</p> <p>20 2015?</p> <p>21 A. Yes.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q. -- time off, have you missed any</p> <p>2 significant time for work -- from work for any</p> <p>3 reason, other than a vacation?</p> <p>4 A. Well, having my child. Does that count?</p> <p>5 Q. Fair enough.</p> <p>6 A. Okay.</p> <p>7 Q. Other than a child or FMLA?</p> <p>8 A. No.</p> <p>9 Q. And you said you have 24 hours per week.</p> <p>10 Does that mean you're working 24 hours per</p> <p>11 week, --</p> <p>12 A. No.</p> <p>13 Q. -- or you're missing 24 hours a week?</p> <p>14 A. I'm missing 24 hours a week.</p> <p>15 Q. Okay. And is that 24 hours per week that</p> <p>16 you're missing reimbursed to you through FMLA?</p> <p>17 A. No.</p> <p>18 Q. Is FMLA permitting you to miss 24 hours</p> <p>19 per week?</p> <p>20 A. Yes. If I have PTO, I can use that, but</p> <p>21 I don't have -- you don't get paid for FMLA.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q. Have you -- have you used PTO to satisfy</p> <p>2 the 24 hours per week that you're missing?</p> <p>3 A. Sometimes, if I have it available.</p> <p>4 Q. Here today, do you have any PTO</p> <p>5 available?</p> <p>6 A. No.</p> <p>7 Q. When will you next have PTO available?</p> <p>8 A. January 1st of 2020.</p> <p>9 Q. So, in January of each year, you're given</p> <p>10 a, a certain amount of PTO time; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. In 2019, you were given a certain amount</p> <p>13 of PTO time; is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. And is it your testimony that you have</p> <p>16 used your yearly allotment of PTO for 2019?</p> <p>17 A. Yes.</p> <p>18 Q. And how many hours or days, however it's</p> <p>19 broken down, were you given in January of 2019 in</p> <p>20 PTO?</p> <p>21 A. One hundred and 20 hours.</p>	<p style="text-align: right;">Page 20</p> <p>1 MS. CLARY: I'm just going to object to</p> <p>2 the extent I'm not sure it's an either/or. I don't</p> <p>3 want to make a speaking objection, but PTO, if</p> <p>4 accrued, may be used sporadically, and FMLA is</p> <p>5 used -- being used FMLA.</p> <p>6 So, I'm assuming you're asking her when</p> <p>7 she first started to need to use FMLA for the first</p> <p>8 time?</p> <p>9 MR. CATHELL: Let me back up. I</p> <p>10 appreciate the clarification.</p> <p>11 BY MR. CATHELL:</p> <p>12 Q. When did you first -- let's explore that</p> <p>13 in a little bit when I -- when I bring in some</p> <p>14 different timelines, okay? I'll come back to it.</p> <p>15 Prior to CareFirst Blue Cross Blue</p> <p>16 Shield, you were employed with Arbitron --</p> <p>17 A. Um-hum.</p> <p>18 Q. -- correct?</p> <p>19 A. Yes.</p> <p>20 Q. As a customer service interviewer?</p> <p>21 A. Yes.</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. So, that's approximately 15 workdays?</p> <p>2 A. (Nodding head yes.)</p> <p>3 THE COURT REPORTER: You have to answer</p> <p>4 out loud.</p> <p>5 MS. CLARY: You have to answer.</p> <p>6 THE WITNESS: I'm sorry. Yes. I'm sorry</p> <p>7 about that, ma'am.</p> <p>8 MS. CLARY: You're doing fine.</p> <p>9 THE WITNESS: Yes.</p> <p>10 MS. CLARY: Everybody does it. You just</p> <p>11 have to answer verbally so that when we look at the</p> <p>12 transcript later, we don't see um-hum and huh-uh</p> <p>13 and wonder what you meant.</p> <p>14 THE WITNESS: What, okay.</p> <p>15 BY MR. CATHELL:</p> <p>16 Q. Prior to using -- well, I don't want to</p> <p>17 get into yet specifically when you learned about</p> <p>18 the allegations surrounding Dr. Akoda, because I</p> <p>19 want to explore those fully, but how long have you</p> <p>20 been using FMLA to support you in taking off the 24</p> <p>21 hours per week?</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. And what were your roles and</p> <p>2 responsibilities there?</p> <p>3 A. Making outbound calls to -- for Neilson</p> <p>4 Ratings.</p> <p>5 Q. Okay. And do you remember which month</p> <p>6 you left Arbitron in 2015?</p> <p>7 A. September.</p> <p>8 Q. And why did you leave Arbitron?</p> <p>9 A. They closed.</p> <p>10 Q. The company closed?</p> <p>11 A. Yeah. Nielsen bought it out.</p> <p>12 Q. And do you remember when you started with</p> <p>13 CareFirst Blue Cross Blue Shield?</p> <p>14 A. June of 2015.</p> <p>15 Q. So, while you -- so, there was a period</p> <p>16 of time where you were working for both Arbitron</p> <p>17 and CareFirst Blue Cross Blue Shield?</p> <p>18 A. Correct. We were aware that Arbitron was</p> <p>19 closing ahead of time.</p> <p>20 Q. Prior to Arbitron, you were employed with</p> <p>21 HealthStream Research as a medical interviewer?</p>

<p style="text-align: right;">Page 22</p> <p>1 A. Correct.</p> <p>2 Q. And what were your roles and</p> <p>3 responsibilities there?</p> <p>4 A. Outbound calls, conducting healthcare</p> <p>5 surveys for local hospitals.</p> <p>6 Q. And do you recall which hospitals you</p> <p>7 were calling on behalf of?</p> <p>8 A. It was several.</p> <p>9 Q. Do you recall the names of the hospitals?</p> <p>10 A. No.</p> <p>11 Q. And why did you leave HealthStream</p> <p>12 Research?</p> <p>13 A. I don't -- I don't recall.</p> <p>14 Q. So, I ask this question to everyone, so</p> <p>15 it's not directed to you specifically. Have you</p> <p>16 since your 18th birthday, while represented by</p> <p>17 counsel, ever pleaded guilty to or been convicted</p> <p>18 of any crime, other than a minor traffic violation?</p> <p>19 A. No.</p> <p>20 MS. CLARY: Objection, but you can</p> <p>21 answer.</p>	<p style="text-align: right;">Page 24</p> <p>1 mentally, or emotionally in any way by any other</p> <p>2 person at any time?</p> <p>3 A. No.</p> <p>4 Q. Have you ever been hospitalized, other</p> <p>5 than to deliver a child?</p> <p>6 A. No.</p> <p>7 Q. Have you ever been diagnosed with a</p> <p>8 condition that affects or limits your activities in</p> <p>9 any way?</p> <p>10 A. No.</p> <p>11 Q. Have you ever been diagnosed with a</p> <p>12 men- -- a mental illness of any kind at any time in</p> <p>13 your life?</p> <p>14 A. No.</p> <p>15 Q. Have you taken any medications at any</p> <p>16 time in your life for mental illness of any kind?</p> <p>17 A. Does that count now? Current?</p> <p>18 MS. CLARY: At any time.</p> <p>19 THE WITNESS: Yes.</p> <p>20 BY MR. CATHELL:</p> <p>21 Q. Correct.</p>
<p style="text-align: right;">Page 23</p> <p>1 THE WITNESS: Oh, sorry.</p> <p>2 MS. CLARY: That's okay.</p> <p>3 BY MR. CATHELL:</p> <p>4 Q. Have you ever been a plaintiff or a</p> <p>5 defendant in any other lawsuit?</p> <p>6 A. No.</p> <p>7 Q. Have you ever made a claim for injury</p> <p>8 against any individual, business, or other entity?</p> <p>9 A. No.</p> <p>10 Q. Have you ever made a claim or complaint</p> <p>11 of any kind against a healthcare provider, other</p> <p>12 than the current lawsuit?</p> <p>13 A. No.</p> <p>14 Q. Have you ever made a Workers'</p> <p>15 Compensation claim?</p> <p>16 A. No.</p> <p>17 Q. Have you ever suffered physical,</p> <p>18 emotional, or sexual abuse of any kind by any</p> <p>19 person at any time in your life?</p> <p>20 A. No.</p> <p>21 Q. Have you ever been injured physically,</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And which medications have you</p> <p>3 taken?</p> <p>4 A. Express -- Expressor -- Effexor.</p> <p>5 Effexor. Effexor, Ativan, Trazodone, Prozac. I</p> <p>6 think that's it. I think.</p> <p>7 Q. Okay. And are you currently taking all</p> <p>8 four of those medications at the current time?</p> <p>9 A. Everything except for the Prozac, yes.</p> <p>10 Q. Okay. So, you're taking Afexa, Ativan,</p> <p>11 and Trazodone at the current time?</p> <p>12 A. Yes.</p> <p>13 Q. And --</p> <p>14 MS. CLARY: I think it's Effexor.</p> <p>15 THE WITNESS: Effexor. Yes, I'm sorry.</p> <p>16 BY MR. CATHELL:</p> <p>17 Q. Effexor. How long have you been taking</p> <p>18 these med- -- those three medications?</p> <p>19 A. I've been taking those three</p> <p>20 medications -- one moment. Feb -- February of</p> <p>21 200- -- I don't remember if it was '17 or '18. Can</p>



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<p>1 you -- is that in my answer?</p> <p>2 MS. CLARY: It may or may not be. If you</p> <p>3 know, you can answer.</p> <p>4 THE WITNESS: Okay.</p> <p>5 MS. CLARY: If you don't know, tell him</p> <p>6 you don't know.</p> <p>7 THE WITNESS: I don't remember.</p> <p>8 BY MR. CATHELL:</p> <p>9 Q. And you also mentioned that you had taken</p> <p>10 Prozac in the past, correct?</p> <p>11 A. Yes.</p> <p>12 Q. And when did you take Prozac?</p> <p>13 A. Well, Prozac, I was -- I was prescribed</p> <p>14 Prozac, along with the Trazodone and the Ativan, at</p> <p>15 first, and then they switched it to Effexor. So,</p> <p>16 it's been around the same amount of time I've been</p> <p>17 taking all of them. They just switched my</p> <p>18 medications to something else.</p> <p>19 Q. Okay. And who prescribed those</p> <p>20 medications?</p> <p>21 A. My first -- the first one was Shanda</p>	<p>1 the name one more time so I can at least write it</p> <p>2 down so I can ask you questions?</p> <p>3 A. Igim -- Igenmino. Igemino. I don't</p> <p>4 know. Igemial Nanamuju -- Nanmiju. I literally</p> <p>5 had to call Mr. Ceryes back yesterday with the</p> <p>6 spelling of her name because I couldn't pronounce</p> <p>7 it.</p> <p>8 Q. All right. So, first, you were seeing</p> <p>9 Dr. Smith?</p> <p>10 A. Yes.</p> <p>11 Q. And it's my understanding Dr. Smith is a</p> <p>12 psychiatrist --</p> <p>13 A. Yes.</p> <p>14 Q. -- with Kaiser Permanente'?</p> <p>15 A. Yes.</p> <p>16 Q. And from what -- what time period were</p> <p>17 you seeing Dr. Smith?</p> <p>18 A. From February of -- I want to say</p> <p>19 February of '18 to June of '18 or July of '18.</p> <p>20 Q. February of 2018 to July of 2018?</p> <p>21 A. Yeah.</p>
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<p>1 Smith at Kaiser, and then now I'm seeing Elumi</p> <p>2 Neuwamini (sic).</p> <p>3 Q. All right. That one is definitely going</p> <p>4 to need to be spelled. Do you know how to spell</p> <p>5 it?</p> <p>6 A. I don't. I sent it -- I sent it to you</p> <p>7 all yesterday, the name.</p> <p>8 MS. CLARY: I will -- I'm going to look</p> <p>9 it up.</p> <p>10 THE WITNESS: I'm sorry.</p> <p>11 MS. CLARY: No.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. So, in your answers -- and I'm happy to</p> <p>14 show them to you, --</p> <p>15 A. Um-hum.</p> <p>16 Q. -- you're -- the last physician or</p> <p>17 medical provider you report seeing was Shanda</p> <p>18 Smith.</p> <p>19 A. Correct.</p> <p>20 Q. So, I don't believe the last individual</p> <p>21 that you mentioned is -- is listed. Can you say</p>	<p>1 Q. And --</p> <p>2 A. Wait. I don't remember when</p> <p>3 I -- when I stopped seeing her. My husband -- we</p> <p>4 had to switch insurances, so I had to get another</p> <p>5 doctor. But we switched insurances in October, so</p> <p>6 I'm thinking it was more October of '18.</p> <p>7 Q. And when you stopped seeing Dr. Smith in</p> <p>8 October of '18, is that when you went to see</p> <p>9 Dr. Namamichu?</p> <p>10 A. Yes.</p> <p>11 Q. Is Dr. Namamichu also a psychiatrist?</p> <p>12 A. Yes.</p> <p>13 Q. And have you continuously seen</p> <p>14 Dr. Namamichu since October of 2018?</p> <p>15 A. Yes.</p> <p>16 Q. And when you were seeing Dr. Smith</p> <p>17 starting in February of 2018, were you seeing her</p> <p>18 continuously until October of 2018?</p> <p>19 A. Yeah. Well, not seeing -- we -- we have</p> <p>20 video calls or phone calls, yes.</p> <p>21 Q. And how often would you see Dr. Smith?</p>

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<p>1 A. On an as-needed basis, but usually</p> <p>2 scheduled about twice a week.</p> <p>3 Q. And were those by weekly video</p> <p>4 conference?</p> <p>5 A. No. We video conferenced every time,</p> <p>6 except for the first consultation.</p> <p>7 Q. So, you saw Dr. Smith in the office one</p> <p>8 time, and then the remainder of the interactions</p> <p>9 were by video conference, --</p> <p>10 A. Yes.</p> <p>11 Q. -- correct?</p> <p>12 A. Yes.</p> <p>13 Q. Did you see Dr. Namamichu in his office</p> <p>14 at any time?</p> <p>15 A. Yes. I saw her in the office.</p> <p>16 Q. It is a her?</p> <p>17 A. Um-hum.</p> <p>18 Q. I'm sorry.</p> <p>19 A. That's okay.</p> <p>20 Q. And how often have you been seeing</p> <p>21 Dr. Namamichu?</p>	<p>1 MR. CATHELL: Sure.</p> <p>2 MS. CLARY: Dr. Nnamani.</p> <p>3 THE WITNESS: Nnamani.</p> <p>4 MS. CLARY: The first name is</p> <p>5 I-G-E-O-M-A, last name is N-N-A-M-A-N-I.</p> <p>6 MR. CATHELL: Okay.</p> <p>7 MS. CLARY: Igeoma Nnamani -- excuse me,</p> <p>8 Nnamani.</p> <p>9 MR. CATHELL: Nnamani?</p> <p>10 MS. CLARY: Yes. I have mad skills.</p> <p>11 You're welcome.</p> <p>12 MR. CATHELL: Thank you very much.</p> <p>13 BY MR. CATHELL:</p> <p>14 Q. We can agree that -- that the</p> <p>15 psychologist -- the psychiatrist I've been</p> <p>16 referring to as Dr. Namamichu is Dr. Nnamani,</p> <p>17 correct?</p> <p>18 A. Yes. Namamichu, yes.</p> <p>19 Q. You've been seeing psychologist</p> <p>20 Dr. -- strike that.</p> <p>21 You've been seeing Psychologist Donato</p>
Page 31	Page 33
<p>1 A. I only see her for medication</p> <p>2 maintenance, so it's a phone interview once a</p> <p>3 month.</p> <p>4 Q. And how did you find Dr. Namamichu?</p> <p>5 A. Through my -- my goodness. What's the</p> <p>6 other name of that person that's not a</p> <p>7 psychiatrist? The one that can't prescribe</p> <p>8 medicine.</p> <p>9 Q. A psychologist?</p> <p>10 A. A psychologist. Through my psychologist.</p> <p>11 I couldn't think of it.</p> <p>12 Q. Okay. And who is your psychologist?</p> <p>13 A. Paul Donato.</p> <p>14 Q. Do you know how to spell his last name?</p> <p>15 A. D-O-N-A-T-O, I'm assuming.</p> <p>16 Q. And how long have you been seeing</p> <p>17 Psychiatrist Donato or Psychologist Donato?</p> <p>18 A. Since about March -- no, no, no. June of</p> <p>19 '18.</p> <p>20 MS. CLARY: I have a name and a spelling.</p> <p>21 Do you want me to jump in with it?</p>	<p>1 since June of 2018, correct?</p> <p>2 A. Yes.</p> <p>3 Q. And do you currently see Mr. Donato?</p> <p>4 A. Not in the office, but we converse; yeah.</p> <p>5 Q. And how often do you receive treatment</p> <p>6 from Mr. Donato?</p> <p>7 A. Also on an as-needed basis, but scheduled</p> <p>8 twice a week.</p> <p>9 Q. Are those video conferences?</p> <p>10 A. Just phone conferences. He doesn't have</p> <p>11 video. He's kind of old schooled.</p> <p>12 Q. Does Dr. Nnamani participate in video or</p> <p>13 telephone conferences with you?</p> <p>14 A. Telephone, yes.</p> <p>15 Q. And how often do you speak to</p> <p>16 Dr. -- speak or see on video Dr. Nnamani?</p> <p>17 A. Once a month for medication maintenance.</p> <p>18 Q. So, a typical week for you would have you</p> <p>19 speaking to Psychologist Donato two times per week</p> <p>20 on the telephone and Dr. Nnamani one time per month</p> <p>21 on the telephone for medication maintenance?</p>

<p style="text-align: right;">Page 34</p> <p>1 A. Yes.</p> <p>2 Q. Did I miss anything regarding the</p> <p>3 treatment you're receiving for any mental illness</p> <p>4 as far as providers?</p> <p>5 A. No.</p> <p>6 Q. And when Dr. Smith prescribed to you the</p> <p>7 four medications, understanding you were only</p> <p>8 taking three at a time, did she make a diagnosis of</p> <p>9 you at that time?</p> <p>10 A. Yes.</p> <p>11 Q. And what was the diagnosis?</p> <p>12 A. The diagnosis was, or is, depression,</p> <p>13 anxiety, and PTSD.</p> <p>14 Q. And in -- was it Dr. Smith who diagnosed</p> <p>15 you with those conditions?</p> <p>16 A. Yes.</p> <p>17 Q. And do you recall when she diagnosed you</p> <p>18 with those conditions?</p> <p>19 A. I don't. It was during her -- our first</p> <p>20 visit.</p> <p>21 Q. So, that would have been in February</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. Prior to February of 2018, had you ever</p> <p>2 been diagnosed with anxiety?</p> <p>3 A. No.</p> <p>4 Q. Prior to 2018, had you ever been</p> <p>5 diagnosed with posttraumatic stress disorder?</p> <p>6 A. No.</p> <p>7 Q. Prior to February of 2018, had you taken</p> <p>8 any medications at any time in your life for mental</p> <p>9 illness of any kind?</p> <p>10 A. No.</p> <p>11 Q. Prior to 2018, had you felt depressed?</p> <p>12 A. No.</p> <p>13 Q. Prior to 2018, had you ever felt</p> <p>14 anx- -- anxious?</p> <p>15 A. No.</p> <p>16 Q. Since beginning your medication regimen</p> <p>17 in February of 2018, have you seen an improvement</p> <p>18 in your depression?</p> <p>19 A. Some days, but for the most part, no.</p> <p>20 Q. And can you describe for me which days</p> <p>21 or -- you see improvement and which days you don't?</p>
<p style="text-align: right;">Page 35</p> <p>1 2018, correct?</p> <p>2 A. (Nodding head yes.)</p> <p>3 Q. Yes?</p> <p>4 A. Yes. I'm sorry. Yes.</p> <p>5 Q. That's okay.</p> <p>6 A. Yes.</p> <p>7 THE WITNESS: I'm sorry, ma'am.</p> <p>8 MS. CLARY: You're doing fine.</p> <p>9 THE WITNESS: Okay.</p> <p>10 BY MR. CATHELL:</p> <p>11 Q. To your knowledge, has Dr. Nnamani</p> <p>12 diagnosed you with either the same conditions or</p> <p>13 anything additional?</p> <p>14 A. Not that I'm aware of.</p> <p>15 Q. Has Dr. Nnamani recommended any</p> <p>16 additional prescription medication for you?</p> <p>17 A. No. She's actually the one who changed</p> <p>18 my medication from Prozac to Effexor.</p> <p>19 Q. Okay. Prior to February of 2018, had you</p> <p>20 ever been diagnosed with depression?</p> <p>21 A. No.</p>	<p style="text-align: right;">Page 37</p> <p>1 A. It's kind of hard to say which days, but</p> <p>2 sometimes I wake up, and I feel like I can go on</p> <p>3 through my day and go to work just fine; some days</p> <p>4 I can't get out of bed at all.</p> <p>5 Q. Since 200- -- since February of 2018,</p> <p>6 have you seen an improvement in your anxiety?</p> <p>7 A. No.</p> <p>8 Q. So, it's fair to say the medications you</p> <p>9 you've been taking since February 2018 have not</p> <p>10 improved or reduced your anxiety, correct?</p> <p>11 A. Yes.</p> <p>12 Q. Since February 2018, when you began</p> <p>13 taking the medications you've described, have you</p> <p>14 seen an improvement or reduction in the symptoms of</p> <p>15 posttraumatic stress disorder?</p> <p>16 A. No.</p> <p>17 Q. What is posttraumatic stress disorder, if</p> <p>18 you know?</p> <p>19 MS. CLARY: Objection to the extent I</p> <p>20 think it calls for psychiatric expertise, but you</p> <p>21 can go ahead as best you can.</p>

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<p>1 THE WITNESS: From my understanding, it's</p> <p>2 a -- it's a -- it's me having -- it's me having</p> <p>3 stress or -- for something that happened to me in</p> <p>4 my past or anxiety or social anxiety. That's it.</p> <p>5 BY MR. CATHELL:</p> <p>6 Q. Did Dr. Smith ever give you her opinion</p> <p>7 that your depression -- strike that.</p> <p>8 Did Dr. -- Dr. Smith ever share with you</p> <p>9 an opinion regarding the cause of your depression?</p> <p>10 A. No.</p> <p>11 Q. Did Dr. Smith ever share with you an</p> <p>12 opinion regarding the cause of your anxiety?</p> <p>13 A. No.</p> <p>14 Q. Did Dr. Smith ever share with you her</p> <p>15 opinion regarding the cause of your posttraumatic</p> <p>16 stress disorder?</p> <p>17 A. No.</p> <p>18 Q. Is this -- is your answer to all three of</p> <p>19 those questions the same for Dr. Nnamani?</p> <p>20 A. Yes. Can I ask a question? Are you</p> <p>21 asking me if they gave me a reason for diagnosing</p>	<p>1 conditions that she testified to.</p> <p>2 MR. CATHELL: Right.</p> <p>3 BY MR. CATHELL:</p> <p>4 Q. My -- my question was, did Dr. Smith</p> <p>5 share with you her opinion as to the cause of your</p> <p>6 depression?</p> <p>7 MS. CLARY: I'm going to object to the</p> <p>8 form for the reasons I stated. You can answer as</p> <p>9 best you can.</p> <p>10 THE WITNESS: Okay. So, I'm still going</p> <p>11 to say, no, I think.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. For the sake of going through the rest of</p> <p>14 those, is the answer -- do your -- did Dr. Smith</p> <p>15 share with you her opinion regarding the cause of</p> <p>16 your anxiety?</p> <p>17 MS. CLARY: Same objection. You can go</p> <p>18 ahead.</p> <p>19 THE WITNESS: No.</p> <p>20 BY MR. CATHELL:</p> <p>21 Q. Did Dr. Smith -- Smith share with you her</p>
Page 39	Page 41
<p>1 me with those things?</p> <p>2 Q. So, I'm not allowed to ask you -- answer</p> <p>3 your question, --</p> <p>4 A. Oh.</p> <p>5 Q. -- but I'm happy to rephrase it if you</p> <p>6 don't understand. I'm -- it's not a trick</p> <p>7 question.</p> <p>8 A. Can I ask my lawyer?</p> <p>9 Q. What -- what -- let me -- let me</p> <p>10 ask -- kind of ask -- did you not understand the</p> <p>11 question?</p> <p>12 A. Well, I'm just making sure I answered it</p> <p>13 correctly.</p> <p>14 Q. I -- I mean --</p> <p>15 MS. CLARY: If you don't ask her now, I</p> <p>16 will later. So, you might want to ask her now,</p> <p>17 because the word "causation or cause" can have a</p> <p>18 legal significance. And, again, I'm not</p> <p>19 trying -- I'm trying my very best not to make a</p> <p>20 speaking objection, but I think what you're asking</p> <p>21 her is, has anybody told her why she has the</p>	<p>1 opinion regarding the cause of your posttraumatic</p> <p>2 stress disorder?</p> <p>3 MS. CLARY: Same objection. You can go</p> <p>4 ahead.</p> <p>5 THE WITNESS: No.</p> <p>6 BY MR. CATHELL:</p> <p>7 Q. Did Dr. Nnamani share with you her</p> <p>8 opinion regarding the cause of your depression?</p> <p>9 MS. CLARY: Same objection.</p> <p>10 THE WITNESS: No.</p> <p>11 BY MR. CATHELL:</p> <p>12 Q. Did Dr. Nnamani share with you her</p> <p>13 opinion regarding the cause of your anxiety?</p> <p>14 MS. CLARY: Same objection. Go ahead.</p> <p>15 THE WITNESS: No.</p> <p>16 MS. CLARY: Can I have a continuing</p> <p>17 objection?</p> <p>18 MR. CATHELL: Sure.</p> <p>19 MS. CLARY: Thank you.</p> <p>20 BY MR. CATHELL:</p> <p>21 Q. Did Dr. Nnamani share with you her</p>



<p style="text-align: right;">Page 42</p> <p>1 opinion regarding the cause of your posttraumatic</p> <p>2 stress disorder?</p> <p>3 A. No.</p> <p>4 Q. Have you ever been seen by a healthcare</p> <p>5 specialist, other than an OB/GYN, other than</p> <p>6 routine check-up care, such as mammography or</p> <p>7 dermatologic screening?</p> <p>8 A. No.</p> <p>9 Q. Who is your primary care provider?</p> <p>10 A. I don't have a primary care provider.</p> <p>11 Q. When did you last have a primary care</p> <p>12 provider?</p> <p>13 A. Before I had my son. In 2016, I</p> <p>14 guess -- 2015.</p> <p>15 Q. And who was your primary care provider at</p> <p>16 that time?</p> <p>17 A. Dainty Jackson.</p> <p>18 Q. Dainty?</p> <p>19 A. (Nodding head yes.)</p> <p>20 Q. Is that a female?</p> <p>21 A. Yes.</p>	<p style="text-align: right;">Page 44</p> <p>1 OB/GYN?</p> <p>2 A. J-A-V-A-K-A, Moore, M-O-O-R-E.</p> <p>3 Q. Prior to Dr. Moore, who was serving as</p> <p>4 your OB/GYN?</p> <p>5 A. I went to -- I went to Moore OB/GYN, but</p> <p>6 I just saw any. I didn't have a, a particular</p> <p>7 OB/GYN.</p> <p>8 Q. What years were -- did Dr. Moore or his</p> <p>9 office serve as your OB/GYN?</p> <p>10 A. I moved to Maryland in -- I think I moved</p> <p>11 to Maryland in 2013, so maybe about 2014 until I</p> <p>12 had my son.</p> <p>13 Q. And did you have a -- have an OB/GYN</p> <p>14 prior to 2014?</p> <p>15 A. No. Not a regular OB/GYN, no.</p> <p>16 Q. When you say not a regular OB/GYN, were</p> <p>17 you seeing OB/GYNs as needed?</p> <p>18 A. As needed, yeah. I wasn't going for like</p> <p>19 regular check-ups or anything.</p> <p>20 Q. When was the last time you saw a</p> <p>21 healthcare provider of any kind?</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. And do you know where Dr. Jackson was</p> <p>2 located?</p> <p>3 A. Waldorf, Maryland. I don't know the</p> <p>4 exact address.</p> <p>5 Q. And how long had Dr. Jackson been your</p> <p>6 primary care provider?</p> <p>7 A. I seen her one time. She was assigned by</p> <p>8 insurance.</p> <p>9 Q. Prior to seeing Dr. Jackson, did you have</p> <p>10 a primary care provider?</p> <p>11 A. No.</p> <p>12 Q. Should I understand your answer to mean</p> <p>13 you have never had a primary care provider prior to</p> <p>14 seeing Dr. Jackson on the one occasion?</p> <p>15 A. Correct. I didn't have insurance.</p> <p>16 Q. Do you currently have an OB/GYN?</p> <p>17 A. Nope. No. Sorry.</p> <p>18 Q. That's all right. And when did you last</p> <p>19 have an OB/GYN?</p> <p>20 A. When I had my son.</p> <p>21 Q. And what was the name of your last</p>	<p style="text-align: right;">Page 45</p> <p>1 A. Like physically? Like went into their</p> <p>2 office?</p> <p>3 Q. Yes.</p> <p>4 A. September of 2018.</p> <p>5 Q. And who was that?</p> <p>6 A. Dr. Nnamani. October of 2018,</p> <p>7 Dr. Nnamani.</p> <p>8 Q. Prior to seeing Dr. Nnamani, who was the</p> <p>9 healthcare provider that you saw most recently?</p> <p>10 A. Shanda.</p> <p>11 Q. Is that Dr. Smith?</p> <p>12 A. Yes, and Dr. Donato as well.</p> <p>13 Q. Other than Dr. Nnamani, Dr. Smith, and</p> <p>14 Dr. Donato, have you seen any other healthcare</p> <p>15 providers since your child was born in March of</p> <p>16 2016?</p> <p>17 A. No.</p> <p>18 Q. Have you gone to any hospitals, emergency</p> <p>19 departments, or urgent care centers since March of</p> <p>20 2016 to receive care or treatment?</p> <p>21 A. I did go to the emergency room, yes.</p>

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<p>1 Q. And when was that?</p> <p>2 A. December, maybe.</p> <p>3 Q. Of 2018?</p> <p>4 A. '18. Um-hum.</p> <p>5 Q. And what caused you to go to the</p> <p>6 emergency department in December of 2018?</p> <p>7 A. I had a rup- -- ruptured cyst on my</p> <p>8 ovary.</p> <p>9 Q. And which hospital did you go to?</p> <p>10 A. Charles County. La Plata, I believe.</p> <p>11 Q. And I assume you were seen by healthcare</p> <p>12 providers there?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And what did those healthcare</p> <p>15 providers do regarding the ruptured cyst on your</p> <p>16 ovary?</p> <p>17 A. Gave me antibiotics.</p> <p>18 Q. And did the antibiotics have their</p> <p>19 intended effect and resolve the cyst?</p> <p>20 A. Well, I'm no longer in pain. I never</p> <p>21 went to a follow-up appointment to find out.</p>	<p>1 understanding you're taking three at the current</p> <p>2 time, are there any other medications that you</p> <p>3 currently take that we have not discussed?</p> <p>4 A. No.</p> <p>5 Q. What pharmacy or pharmacies have you</p> <p>6 filled prescriptions at in the last three years?</p> <p>7 A. Walmart, CVS, and Walgreens.</p> <p>8 Q. And are those in La Plata?</p> <p>9 A. Waldorf.</p> <p>10 Q. All are in Waldorf?</p> <p>11 A. Um-hum. Yes. Sorry.</p> <p>12 Q. That's okay. Prior to March of</p> <p>13 2016 -- well, strike that.</p> <p>14 I recall reading in your Answers to</p> <p>15 Interrogatories that you had been hospitalized in</p> <p>16 2015 for a slip and fall; is that corr- -- is that</p> <p>17 accurate?</p> <p>18 A. Oh, yeah. I'm sorry.</p> <p>19 Q. And you described that incident as you</p> <p>20 lost your footing and fell resulting in</p> <p>21 hospital -- hospitalization for approximately one</p>
Page 47	Page 49
<p>1 Q. Do you happen to recall the names of any</p> <p>2 of the healthcare providers who saw you at the</p> <p>3 emergency department?</p> <p>4 A. No.</p> <p>5 Q. Have you at any time been seen by a</p> <p>6 primary care provider that we haven't otherwise</p> <p>7 discussed?</p> <p>8 A. No.</p> <p>9 Q. Other than Dr. Moore and Dr. Akoda, who</p> <p>10 we're going to talk about, have you been seen by</p> <p>11 any other OGB -- OB/GYN that we have not otherwise</p> <p>12 discussed?</p> <p>13 A. No.</p> <p>14 Q. I know you've told me about the mental</p> <p>15 health treatment you've been receiving. Other than</p> <p>16 that, have you -- since your alleged involvement</p> <p>17 with Dr. Akoda -- seen any healthcare provider of</p> <p>18 any kind for any issue you claim is related to your</p> <p>19 involvement with Dr. Akoda?</p> <p>20 A. No.</p> <p>21 Q. And the four medications we discussed,</p>	<p>1 week at Washington Hospital Center, correct?</p> <p>2 A. Yes.</p> <p>3 Q. And any injuries you sustained as a</p> <p>4 result of the slip and fall, have those since</p> <p>5 resolved?</p> <p>6 A. Yes.</p> <p>7 Q. So, you don't have any lingering back</p> <p>8 issues or bone issues?</p> <p>9 A. Not that I can contribute to that.</p> <p>10 That -- I mean, I'm not a medical professional, so</p> <p>11 I wouldn't know why my back was hurting.</p> <p>12 Q. The next series of questions I'm asking</p> <p>13 for information just known by you or evidence that</p> <p>14 you have, not information that was shared by your</p> <p>15 attorney or that has been provided by your</p> <p>16 attorney; is that fair?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. What evidence do you have</p> <p>19 regarding Dr. Akoda's background?</p> <p>20 A. None.</p> <p>21 Q. What evidence do you have regarding</p>

<p style="text-align: right;">Page 50</p> <p>1 whether Dr. Akoda was licensed in Maryland?</p> <p>2 A. None.</p> <p>3 Q. What evidence -- evidence do you have</p> <p>4 regarding whether Dr. Akoda was licensed to</p> <p>5 practice medicine in Virginia?</p> <p>6 A. None.</p> <p>7 Q. What evidence do you have regarding</p> <p>8 Dr. Akoda's training as a medical doctor?</p> <p>9 A. None.</p> <p>10 Q. Do you know whether Dr. Akoda went to</p> <p>11 medical school?</p> <p>12 A. I'm not aware. I don't -- I'm not aware</p> <p>13 if he went to medical school.</p> <p>14 Q. Do you know where Dr. Akoda did his</p> <p>15 residency?</p> <p>16 A. No.</p> <p>17 Q. Do you know what a residency is?</p> <p>18 A. I think so. To become a -- it's like an</p> <p>19 internship for doctors.</p> <p>20 Q. Do you know whether Dr. Akoda</p> <p>21 successfully completed a residency?</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Do you know what ECFMG certification</p> <p>2 stands for?</p> <p>3 A. No.</p> <p>4 Q. It stands for the Educational Commission</p> <p>5 for Foreign Medical Graduates. Were you aware that</p> <p>6 to be certified a foreign medical graduate takes</p> <p>7 an -- an examination administered by ECFMG?</p> <p>8 A. No.</p> <p>9 Q. Do you know whether Dr. Akoda took such</p> <p>10 an examination?</p> <p>11 A. No.</p> <p>12 Q. How many times he successfully passed the</p> <p>13 examination?</p> <p>14 A. No.</p> <p>15 Q. Do you have any evidence regarding how</p> <p>16 many times Dr. Akoda took the examination?</p> <p>17 A. No.</p> <p>18 Q. Do you have any evidence regarding under</p> <p>19 which what names Dr. Akoda took the examination?</p> <p>20 A. No.</p> <p>21 Q. Do you know whether Dr. Akoda was</p>
<p style="text-align: right;">Page 51</p> <p>1 A. No.</p> <p>2 Q. Do you know if he passed all national</p> <p>3 examinations to complete a residency?</p> <p>4 A. No.</p> <p>5 Q. Do you know whether Dr. Akoda was board</p> <p>6 certified by the American Board of Obstetrics and</p> <p>7 Gynecology?</p> <p>8 A. No.</p> <p>9 Q. Do you know what is entailed in becoming</p> <p>10 board certified?</p> <p>11 A. No.</p> <p>12 Q. Were you aware that Dr. Akoda took</p> <p>13 written and oral examinations and passed them to</p> <p>14 become board certified?</p> <p>15 A. No.</p> <p>16 Q. What do you know about when Dr. Akoda</p> <p>17 began using the name Akoda?</p> <p>18 A. Nothing.</p> <p>19 Q. Do you know why Dr. Akoda began using the</p> <p>20 name Akoda?</p> <p>21 A. No.</p>	<p style="text-align: right;">Page 53</p> <p>1 certified by ECFMG?</p> <p>2 A. No.</p> <p>3 Q. Is all of the information you have</p> <p>4 regarding Dr. Akoda limited to that information</p> <p>5 which has been provided to you by your counsel?</p> <p>6 A. Yes.</p> <p>7 Q. The next series of questions, if you will</p> <p>8 just give your attorney time to object, I want to</p> <p>9 be fair.</p> <p>10 How did you come to be a client of</p> <p>11 Schochor, Federico and Staton?</p> <p>12 MS. CLARY: I'm going to object. I'm</p> <p>13 going to let you answer up to the point that you</p> <p>14 made first contact with us.</p> <p>15 I assume what you're asking her is to</p> <p>16 talk about how she got -- made her way here?</p> <p>17 MR. CATHELL: Let me -- let me rephrase</p> <p>18 the question.</p> <p>19 BY MR. CATHELL:</p> <p>20 Q. What -- when was the first you learned of</p> <p>21 allegations surrounding Dr. Akoda?</p>

<p style="text-align: right;">Page 54</p> <p>1 A. On the radio.</p> <p>2 Q. And do you recall when that was?</p> <p>3 A. Maybe fall of '18, but I can't be sure.</p> <p>4 Q. Do you recall which radio station you</p> <p>5 were listening to?</p> <p>6 A. 93.9.</p> <p>7 Q. And do you recall what the advertisement</p> <p>8 said?</p> <p>9 A. Not verbatim, of course, but something to</p> <p>10 the effect of, Doc -- Dr. Akoda -- if you were seen</p> <p>11 by Dr. Akoda or something to that effect.</p> <p>12 Q. If you were seen by Dr. Akoda?</p> <p>13 A. Contact -- I -- I -- I can't remember</p> <p>14 exactly.</p> <p>15 Q. And what did you do based on that</p> <p>16 advertisement?</p> <p>17 A. I discussed it with my husband, and then</p> <p>18 we contacted the lawyer's office.</p> <p>19 Q. How long between the time you heard the</p> <p>20 radio advertisement did you wait before calling the</p> <p>21 number that was on the advertisement?</p>	<p style="text-align: right;">Page 56</p> <p>1 MS. CLARY: I'm going to object to the</p> <p>2 extent I think that now is going into discussions</p> <p>3 that she would have had with counsel.</p> <p>4 So, you can answer if you have an</p> <p>5 understanding outside of any conversation you've</p> <p>6 had with anybody here at this law firm. Do you</p> <p>7 understand what -- how I'm directing you? He</p> <p>8 wants --</p> <p>9 MR. CATHELL: Let me try to ask a better</p> <p>10 question.</p> <p>11 MS. CLARY: Okay.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. Prior to making the telephone call to</p> <p>14 this law firm, --</p> <p>15 A. Um-hum.</p> <p>16 Q. -- did you have an understanding of what</p> <p>17 the lawsuit was about?</p> <p>18 A. No.</p> <p>19 Q. Is any information you have regarding</p> <p>20 what the lawsuit about -- lawsuit is about</p> <p>21 information that was provided to you by your</p>
<p style="text-align: right;">Page 55</p> <p>1 MS. CLARY: You can answer that.</p> <p>2 THE WITNESS: The next day.</p> <p>3 BY MR. CATHELL:</p> <p>4 Q. And do you recall which law firm you</p> <p>5 spoke to when you made that initial call?</p> <p>6 A. This law firm.</p> <p>7 Q. Do you recall whether the radio</p> <p>8 advertisement said anything, other than if you were</p> <p>9 a patient of Dr. Akoda, you should call this</p> <p>10 certain telephone number? In other words, did it</p> <p>11 say, state any allegations regarding Dr. Akoda?</p> <p>12 A. I really can't recall.</p> <p>13 Q. Other than the radio advertisement we've</p> <p>14 discussed, did you --</p> <p>15 A. Can I go back? It didn't say anything</p> <p>16 about allegations, because I wasn't sure. I</p> <p>17 thought that it was like for a sexual assault or</p> <p>18 something. I wasn't exactly sure what the -- the</p> <p>19 lawsuit was about.</p> <p>20 Q. When did you first become aware of what</p> <p>21 the lawsuit was about?</p>	<p style="text-align: right;">Page 57</p> <p>1 attorney as compared to information you saw on TV</p> <p>2 or the Internet?</p> <p>3 MS. CLARY: I'm going to object. Just</p> <p>4 by the way you've phrased this, it's soliciting her</p> <p>5 testifying about what information she got from us.</p> <p>6 So, I'm not sure that she can parse that out with</p> <p>7 the way that you phrased the question, so --</p> <p>8 BY MR. CATHELL:</p> <p>9 Q. Since -- since hearing the radio</p> <p>10 advertisement, have you seen -- have you heard any</p> <p>11 other radio advertisements regarding Dr. Akoda?</p> <p>12 A. Like from other law firms? Just in</p> <p>13 general?</p> <p>14 Q. Just any radio advertisements.</p> <p>15 A. Oh, yes.</p> <p>16 Q. Okay. And what did those radio</p> <p>17 advertisements say?</p> <p>18 A. They -- a class action suit against</p> <p>19 Charles Akoda, if you saw this doctor, give us a</p> <p>20 call type situation.</p> <p>21 Q. Did any of the radio advertisements state</p>



<p style="text-align: right;">Page 58</p> <p>1 the substance of the allegations surrounding</p> <p>2 Dr. Akoda?</p> <p>3 A. No.</p> <p>4 Q. Have you at any time seen any television</p> <p>5 advertisements regarding the allegations pertaining</p> <p>6 to Dr. Akoda?</p> <p>7 A. No.</p> <p>8 Q. Did you at any time conduct an Internet</p> <p>9 search regarding the allegations involving</p> <p>10 Dr. Akoda?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And tell me what you did.</p> <p>13 A. Well, I -- once I found out what</p> <p>14 the -- you know, what the allegations were, I</p> <p>15 looked him up, and I just wanted to see what the</p> <p>16 story was behind it and what his real name was.</p> <p>17 You know, I was just doing my own research on the</p> <p>18 person who --</p> <p>19 Q. And what did you discover?</p> <p>20 A. I didn't discover anything new that</p> <p>21 wasn't -- that I didn't know already. I just</p>	<p style="text-align: right;">Page 60</p> <p>1 Q. Do you have any evidence that Dr. Akoda</p> <p>2 lacked OB/GYN training or skills?</p> <p>3 A. No.</p> <p>4 Q. How did you become aware of Dr. Akoda as</p> <p>5 an OB/GYN?</p> <p>6 A. He came into my room as I was about to</p> <p>7 deliver my son.</p> <p>8 Q. And it's my understanding from your</p> <p>9 medical chart that you had been receiving prenatal</p> <p>10 care from Dr. Moore; is that correct?</p> <p>11 A. Correct.</p> <p>12 Q. And it's my understanding from your</p> <p>13 medical chart, and other information, that your</p> <p>14 first, and only, contact with Dr. Akoda occurred</p> <p>15 immediately prior to and during the birth of your</p> <p>16 child; is that correct?</p> <p>17 A. Correct.</p> <p>18 Q. And do you recall when you presented to</p> <p>19 the Prince George's County Hospital Center to</p> <p>20 deliver your child?</p> <p>21 A. On March 16th.</p>
<p style="text-align: right;">Page 59</p> <p>1 discovered that he wasn't who he said he was when</p> <p>2 he told me who he said he was -- who he was what he</p> <p>3 said he was.</p> <p>4 Q. Anything else?</p> <p>5 A. No.</p> <p>6 Q. Other than the radio advertisements that</p> <p>7 we've talked about and your Internet search and any</p> <p>8 communications from your attorneys, have you</p> <p>9 received any additional information regarding the</p> <p>10 substance of the allegations against Dr. Akoda?</p> <p>11 A. No.</p> <p>12 Q. I asked you earlier if Dr. Akoda -- if</p> <p>13 you knew whether Dr. Akoda had gone to</p> <p>14 medical -- medical school or residency. Do you</p> <p>15 have an understanding or belief whether he had</p> <p>16 gone -- undergone any medical training?</p> <p>17 A. No. I just assumed that if he was at the</p> <p>18 hospital, he would have training.</p> <p>19 Q. Do you know whether Dr. Akoda was trained</p> <p>20 as an OB/GYN?</p> <p>21 A. No.</p>	<p style="text-align: right;">Page 61</p> <p>1 Q. When you first presented to Prince</p> <p>2 George's County Hospital Center, you were seen by</p> <p>3 Dr. Moore, correct?</p> <p>4 A. No.</p> <p>5 Q. If your medical records -- are you sure</p> <p>6 you returned to PG County Hospital Center for</p> <p>7 delivery on March 16th compared to March 14, 2016,</p> <p>8 for example?</p> <p>9 A. Yeah.</p> <p>10 Q. Who was the first healthcare provider</p> <p>11 that you came into contact with on March 16?</p> <p>12 A. A nurse. I don't -- it was a nurse up</p> <p>13 until my water broke.</p> <p>14 THE WITNESS: I'm sorry, am I doing that</p> <p>15 to your computer? I was shaking it. I'm sorry.</p> <p>16 BY MR. CATHELL:</p> <p>17 Q. And when did you first come into contact</p> <p>18 with Dr. Akoda? Immediately after your water</p> <p>19 broke?</p> <p>20 A. About that, yes.</p> <p>21 Q. And did you know that Dr. Moore would not</p>

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<p>1 be present?</p> <p>2 A. No.</p> <p>3 Q. And describe for me your interaction with</p> <p>4 Dr. Akoda on --</p> <p>5 A. And it was 3-17 at this point.</p> <p>6 Q. March -- right, on March 17, 2016.</p> <p>7 A. He came in the room, and they set the</p> <p>8 room up for delivery. What else do you need to</p> <p>9 know? What else are you asking? I'm sorry.</p> <p>10 Q. Describe your interaction with Dr. Akoda.</p> <p>11 Tell me what happened when he came in the room</p> <p>12 and -- and the care and treatment he provided to</p> <p>13 you.</p> <p>14 A. He just said that he would be delivering</p> <p>15 my baby, that he was the doctor on call. He had</p> <p>16 been there at the hospital for 16, 18 hours at that</p> <p>17 time, and he would just be in charge of delivery.</p> <p>18 Q. Did you have an understanding as to</p> <p>19 whether Dr. Akoda and Dr. Moore had a professional</p> <p>20 relationship?</p> <p>21 A. No. My understanding was that he was</p>	<p>1 A. That was it. He was in and out of the</p> <p>2 room a lot up until I actually started pushing.</p> <p>3 So, he was just in and out a lot, so it really</p> <p>4 wasn't a lot of him explaining or introducing</p> <p>5 himself.</p> <p>6 Q. Okay. What happened next?</p> <p>7 A. So, then it's time for delivery. So, I</p> <p>8 was pushing. It was only -- it wasn't a nurse in</p> <p>9 the room at the time. It was just the doctor and</p> <p>10 my husband and my mom, and we were -- I'm pushing</p> <p>11 and pushing, but my son wasn't coming out. That</p> <p>12 went on for several hours. And in the process, he</p> <p>13 started -- I don't know how to say it. I don't</p> <p>14 know how to say it.</p> <p>15 MS. CLARY: Do the best you can.</p> <p>16 THE WITNESS: Just say it?</p> <p>17 MS. CLARY: Just say it.</p> <p>18 BY MR. CATHELL:</p> <p>19 Q. We're -- we're all adults here.</p> <p>20 A. I know, but it's just weird. He started</p> <p>21 like fondling with my lady parts, and my husband</p>
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<p>1 there on behalf of the hospital.</p> <p>2 Q. And what led you to -- to arrive at that</p> <p>3 understanding?</p> <p>4 A. Because he had said he had already been</p> <p>5 there for hours, which means that he wasn't there</p> <p>6 for me.</p> <p>7 Q. Did you have any indication as to whether</p> <p>8 Dr. Akoda and Dr. Moore worked together?</p> <p>9 A. No.</p> <p>10 Q. Was March 17, 2016 your only interaction</p> <p>11 with Dr. Akoda?</p> <p>12 A. Yes.</p> <p>13 Q. What evidence, other than the statement</p> <p>14 you told me that Dr. Akoda made, do you have that</p> <p>15 Dr. Akoda was affiliated with the hospital?</p> <p>16 A. None. That's just my assumption when you</p> <p>17 go to a hospital.</p> <p>18 Q. I believe we left off Dr. -- when</p> <p>19 Dr. Akoda said that he would be performing your</p> <p>20 delivery. Can you tell me what happened next,</p> <p>21 please?</p>	<p>1 was asking him, like, why are you doing that? And</p> <p>2 he said that it was to stim- -- stimulate the baby</p> <p>3 coming out, because my son wasn't coming out.</p> <p>4 MS. CLARY: Do you need a break?</p> <p>5 THE WITNESS: (Shaking head no.)</p> <p>6 MS. CLARY: Okay. Brian, I am going to</p> <p>7 need a break at some point.</p> <p>8 MR. CATHELL: Let's -- let's take a</p> <p>9 break.</p> <p>10 MS. CLARY: -- so --</p> <p>11 MR. CATHELL: And then -- and then we can</p> <p>12 just pick up where we've left off.</p> <p>13 MS. CLARY: If you want to finish like a</p> <p>14 section, I can wait, but I just do need a bathroom</p> <p>15 break, and I apologize.</p> <p>16 MR. CATHELL: Okay.</p> <p>17 MS. CLARY: Do you want to finish?</p> <p>18 MR. CATHELL: Yeah.</p> <p>19 THE VIDEOGRAPHER: Off the record.</p> <p>20 MS. CLARY: Well, hold on one second just</p> <p>21 while we decide.</p>

<p style="text-align: right;">Page 66</p> <p>1 MR. CATHELL: Yes, let me finish up just</p> <p>2 this area.</p> <p>3 MS. CLARY: Okay.</p> <p>4 BY MR. CATHELL:</p> <p>5 Q. So, understanding that it's</p> <p>6 difficult --</p> <p>7 A. Um-hum.</p> <p>8 Q. -- or, frankly, not understanding</p> <p>9 actually, but -- and I'm certainly not trying to</p> <p>10 embarrass you, --</p> <p>11 A. Um-hum.</p> <p>12 Q. -- but it's a claim that you're making in</p> <p>13 the case.</p> <p>14 A. I understand.</p> <p>15 Q. And so I would ask you to describe for me</p> <p>16 when you say -- I think you said fuddling with your</p> <p>17 lady parts. Is there any better description you</p> <p>18 can give us --</p> <p>19 A. He --</p> <p>20 Q. -- as to what he was doing?</p> <p>21 A. -- he was fingering my clitoris, I</p>	<p style="text-align: right;">Page 68</p> <p>1 the room? Healthcare providers meaning nurses,</p> <p>2 aides, --</p> <p>3 A. No.</p> <p>4 Q. -- what have you in the</p> <p>5 five-to-six-minute period?</p> <p>6 A. No.</p> <p>7 Q. When your husband asked Dr. Akoda what he</p> <p>8 was doing, and Dr. Akoda allegedly explained why he</p> <p>9 was doing that, did Dr. Akoda continue to touch you</p> <p>10 in that way?</p> <p>11 A. Not as frequently. So, it was like</p> <p>12 before he just kept -- you know, it was like every</p> <p>13 few seconds he was doing that, and then once my</p> <p>14 husband said something, it wasn't -- he still did</p> <p>15 it, but it was like maybe one or two times after</p> <p>16 that.</p> <p>17 Q. Did Dr. Akoda say anything to you during</p> <p>18 that time while he was touching you in that manner?</p> <p>19 A. Like telling me to, push, push. He</p> <p>20 was -- and he was calling me Baby and Momma, which</p> <p>21 also was uncomfortable.</p>
<p style="text-align: right;">Page 67</p> <p>1 guess, --</p> <p>2 Q. Okay.</p> <p>3 A. -- if that makes sense.</p> <p>4 Q. And how -- how long was he doing that</p> <p>5 for?</p> <p>6 A. He would do it for like a few seconds,</p> <p>7 and then stop, and then go back and do it again for</p> <p>8 a few -- a few seconds, and then stop.</p> <p>9 Q. And --</p> <p>10 A. And that lasted for maybe five or six</p> <p>11 minutes, I guess. I'm just -- I'm just throwing a</p> <p>12 number out there, before my husband was like, Yo,</p> <p>13 like, what are you doing, Man? And then that's</p> <p>14 when he said that he -- my son wasn't coming out,</p> <p>15 so he had -- that was a way for him to</p> <p>16 stim- -- stimulate; lubrication I guess. I don't</p> <p>17 know.</p> <p>18 Q. And present in the room during this time</p> <p>19 were your husband and your mother?</p> <p>20 A. My mom. Um-hum.</p> <p>21 Q. Were any other healthcare providers in</p>	<p style="text-align: right;">Page 69</p> <p>1 Q. Did he say anything else to you?</p> <p>2 A. No.</p> <p>3 Q. Did Dr. -- strike that.</p> <p>4 Are you alleging any additional sexual</p> <p>5 impropriety on behalf of Dr. Akoda, other than what</p> <p>6 you've described for me?</p> <p>7 A. No.</p> <p>8 Q. To your knowledge, are there any audio</p> <p>9 recordings of the statements or video recordings of</p> <p>10 the acts that you've described?</p> <p>11 A. No.</p> <p>12 Q. Did you -- did you report Dr. Akoda's</p> <p>13 behavior to anyone?</p> <p>14 A. I didn't.</p> <p>15 Q. To your knowledge, did your husband or</p> <p>16 your mother report Dr. Akoda's behavior to anyone?</p> <p>17 A. No, sir.</p> <p>18 Q. Did -- I think we covered it in the last</p> <p>19 question, but I just want to be clear for the</p> <p>20 record. Did you make any type of claim arising</p> <p>21 from Dr. Akoda's behavior that you've just</p>

<p style="text-align: right;">Page 70</p> <p>1 described?</p> <p>2 A. No.</p> <p>3 Q. Did you contact, you or your husband or</p> <p>4 your mother, to your knowledge, contact any police</p> <p>5 department or law enforcement department regarding</p> <p>6 the alleged sexual contact?</p> <p>7 A. No.</p> <p>8 Q. To your knowledge, were there any</p> <p>9 additional witnesses to any of the alleged</p> <p>10 inappropriate contact, other than those that you've</p> <p>11 told me about?</p> <p>12 A. Not to my knowledge, no.</p> <p>13 Q. Did any other healthcare provider or</p> <p>14 person that was around at the same time that you</p> <p>15 and Dr. Akoda were together make any statements</p> <p>16 regarding Dr. Akoda?</p> <p>17 A. No, not that I can recall.</p> <p>18 MR. CATHELL: Do you want to take a</p> <p>19 break?</p> <p>20 MS. CLARY: If you don't mind.</p> <p>21 THE VIDEOGRAPHER: Stand by. The time is</p>	<p style="text-align: right;">Page 72</p> <p>1 MS. CLARY: That's okay.</p> <p>2 BY MR. CATHELL:</p> <p>3 Q. And we had talked earlier about time that</p> <p>4 you had been missing from work?</p> <p>5 A. Yes.</p> <p>6 Q. And I wanted to come back to that, and</p> <p>7 now that we know, generally, when you started</p> <p>8 seeing Dr. Smith, I'd like to try to nail down time</p> <p>9 frames, as best we can, as to when you started</p> <p>10 missing work.</p> <p>11 A. Okay.</p> <p>12 Q. Okay. When -- and I -- I believe you</p> <p>13 told us that you heard the radio advertisement in</p> <p>14 either the fall of 2017 or the fall of 2018. Can I</p> <p>15 assume that because you started seeing Dr. Smith in</p> <p>16 February of 2018, you would have heard the radio</p> <p>17 advertisement in the fall of 2017?</p> <p>18 A. No. I was seeing Dr. Smith before I</p> <p>19 heard the advertisement.</p> <p>20 Q. Okay. And what caused you to go see</p> <p>21 Dr. Smith?</p>
<p style="text-align: right;">Page 71</p> <p>1 now 11:14, and we are off the record.</p> <p>2 (Recess taken -- 11:14 a m.)</p> <p>3 (After recess -- 11:23 a m.)</p> <p>4 THE VIDEOGRAPHER: The time is now 11:23,</p> <p>5 and we are back on the record.</p> <p>6 You lost your microphone. The clip is</p> <p>7 still there. The mic fell off.</p> <p>8 MS. CLARY: We had a clip problem</p> <p>9 yesterday, and I'm just wondering if he's just</p> <p>10 trying to steal a clip.</p> <p>11 MR. CATHELL: It's just what I need,</p> <p>12 right?</p> <p>13 MS. CLARY: That's right.</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. All right. So, we established -- I want</p> <p>16 to back up just a few topics, Ms. Evans. We</p> <p>17 established that you started seeing Dr. Smith in</p> <p>18 February of 2018, correct?</p> <p>19 A. Um-hum.</p> <p>20 MS. CLARY: Yes?</p> <p>21 THE WITNESS: Yes. Sorry.</p>	<p style="text-align: right;">Page 73</p> <p>1 A. I was -- I was very sad and depressed and</p> <p>2 anxious and having a hard time working. I was</p> <p>3 missing a lot -- starting to miss a lot of time</p> <p>4 from work, and I went to go see her to see if I</p> <p>5 could get treatment and also to see if I can get</p> <p>6 FMLA to help with the time that I was missing from</p> <p>7 work.</p> <p>8 Q. And how long had you felt depressed,</p> <p>9 anxious, and been missing work prior to seeing her</p> <p>10 in February of 2018?</p> <p>11 A. Maybe like a year.</p> <p>12 Q. So, starting approximately in February</p> <p>13 2017, you began feeling depressed, anxious, and</p> <p>14 missing time from work?</p> <p>15 A. Yes.</p> <p>16 Q. And can you describe for us what it was</p> <p>17 that was making you feel anxious and depressed?</p> <p>18 A. No. Just every day life. Like any</p> <p>19 things that didn't bother me before, like started</p> <p>20 bothering me. I started noticing a decline in my</p> <p>21 social interaction with people and not -- just not</p>



<p style="text-align: right;">Page 74</p> <p>1 wanting to be bothered.</p> <p>2 Q. Do you know what was causing those</p> <p>3 symptoms at that time?</p> <p>4 A. No. No.</p> <p>5 Q. Were you working full-time at that time?</p> <p>6 A. Yes.</p> <p>7 Q. Was your husband working full time at</p> <p>8 that time?</p> <p>9 A. Yes.</p> <p>10 Q. And what was happening with --</p> <p>11 MS. CLARY: Peyton?</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. -- Peyton while you both were working</p> <p>14 full time?</p> <p>15 A. Peyton has always stayed home with me. I</p> <p>16 work from home.</p> <p>17 Q. Do you currently still work from home?</p> <p>18 A. I do.</p> <p>19 Q. And have you worked from home at all</p> <p>20 times since March of 2016?</p> <p>21 A. Yes.</p>	<p style="text-align: right;">Page 76</p> <p>1 out to someone beforehand to discuss what had</p> <p>2 happened to me. So, it declined significantly.</p> <p>3 Q. And tell me how it declined</p> <p>4 significantly.</p> <p>5 A. I became more withdrawn, more anxious,</p> <p>6 and definitely I don't want -- I didn't want to see</p> <p>7 a doctor after that.</p> <p>8 Q. And how many days from work did you miss</p> <p>9 in 2017, given your testimony that in February of</p> <p>10 2017 you began feeling depressed, anxious, and</p> <p>11 started missing time from work?</p> <p>12 A. I don't know how many days. It was</p> <p>13 enough for me to use my PTO to where my job had to</p> <p>14 extend an additional ten unpaid days for me.</p> <p>15 Q. Now, I assume that was accommodated</p> <p>16 without the use of FMLA?</p> <p>17 A. Correct.</p> <p>18 Q. In 2018, how many days did you miss from</p> <p>19 work, if you recall?</p> <p>20 A. I don't know how many days, but I do know</p> <p>21 that my PTO was just used before the end of the</p>
<p style="text-align: right;">Page 75</p> <p>1 Q. So, you had been seeing Dr. Smith prior</p> <p>2 to learning of the allegations surrounding</p> <p>3 Dr. Akoda?</p> <p>4 A. Correct.</p> <p>5 Q. Had you been prescribed medication by</p> <p>6 Dr. Smith prior to learning of the allegations</p> <p>7 surrounding Dr. Akoda?</p> <p>8 A. Yes.</p> <p>9 Q. Once learning of the allegations</p> <p>10 involving Dr. Akoda, how did your mental health</p> <p>11 change at all, if it did?</p> <p>12 A. I want to say it got worse, because I</p> <p>13 started to understand why I was feeling the way</p> <p>14 that I was feeling, and also, I felt stupid</p> <p>15 because -- because at first, I didn't know what the</p> <p>16 allegations were. I just knew that it was</p> <p>17 Dr. Akoda, and I knew what he had done to me. So,</p> <p>18 I was assuming that that's what the allegations</p> <p>19 were about.</p> <p>20 So, it made me feel -- before contacting</p> <p>21 them, it made me feel stupid that I didn't reach</p>	<p style="text-align: right;">Page 77</p> <p>1 year -- before September.</p> <p>2 Q. And tell me what happened in September.</p> <p>3 A. Well, I'm just saying before September it</p> <p>4 was done. I'm just giving you a timeline of how</p> <p>5 much -- how fast I used it.</p> <p>6 Q. Sure. Did there come a point in time</p> <p>7 after you had extinguished your PTO that you needed</p> <p>8 additional days?</p> <p>9 A. Um-hum.</p> <p>10 Q. Okay. And --</p> <p>11 MS. CLARY: You have to say yes.</p> <p>12 THE WITNESS: Oh, I'm sorry. Yes.</p> <p>13 BY MR. CATHELL:</p> <p>14 Q. And how did your employer accomplish</p> <p>15 that, if they did?</p> <p>16 A. They -- they don't. They don't. So,</p> <p>17 that's -- that's -- they were able to extend me an</p> <p>18 additional ten days of unpaid time off.</p> <p>19 Q. Also in 2018?</p> <p>20 A. Um-hum, (Nodding head yes.)</p> <p>21 MS. CLARY: Yes?</p>

<p style="text-align: right;">Page 78</p> <p>1 BY MR. CATHELL:</p> <p>2 Q. Okay.</p> <p>3 A. Yes. Sorry.</p> <p>4 MS. CLARY: That's okay. Everybody does</p> <p>5 it.</p> <p>6 THE WITNESS: I'm old. I keep</p> <p>7 forgetting.</p> <p>8 MS. CLARY: Everybody does it, young and</p> <p>9 old.</p> <p>10 BY MR. CATHELL:</p> <p>11 Q. So, in your Answers to Interrogatories,</p> <p>12 as well as potentially in the Complaint, I can't</p> <p>13 represent that I know the specific part of the</p> <p>14 Complaint attributed to you, but there's a, a</p> <p>15 discussion of a lost wages claim. So, that's what</p> <p>16 I'm trying to understand is, how much time you're</p> <p>17 missing from work. You're using your PTO and then</p> <p>18 any accommodations your -- your employer is making,</p> <p>19 as well as actual time off --</p> <p>20 A. Um-hum.</p> <p>21 Q. -- okay?</p>	<p style="text-align: right;">Page 80</p> <p>1 A. Yes.</p> <p>2 Q. And is there a certain amount of time</p> <p>3 that your employer, in complying with FMLA, has</p> <p>4 ensured you that you can miss per year without</p> <p>5 losing your position or suffering another demerit,</p> <p>6 if you will?</p> <p>7 A. No. I have to renew my FMLA every six</p> <p>8 months, and I'm also on ADA.</p> <p>9 Q. And how is that assisting you?</p> <p>10 A. Well, it -- that's how I'm able to work</p> <p>11 from home, and it assists with my anxiety a lot</p> <p>12 being around people.</p> <p>13 Q. Prior to giving birth in March of 2016,</p> <p>14 were you working from home?</p> <p>15 A. No.</p> <p>16 Q. Did you ever work from home prior to</p> <p>17 March of 2016?</p> <p>18 A. No.</p> <p>19 Q. So, following the birth of your</p> <p>20 first -- of your child, Peyton, is when you began</p> <p>21 staying home, correct?</p>
<p style="text-align: right;">Page 79</p> <p>1 A. Um-hum. Yes.</p> <p>2 Q. All right. So, you used your PTO in</p> <p>3 2018. You were then extended ten additional unpaid</p> <p>4 days in 2018?</p> <p>5 A. Yes.</p> <p>6 Q. Did you miss any time, in addition to</p> <p>7 your PTO and those ten unpaid days?</p> <p>8 A. Yes.</p> <p>9 Q. How many days did you miss in addition?</p> <p>10 A. I'm going to say an additional 15 days,</p> <p>11 maybe. I can't really say what for sure, but it's</p> <p>12 quite often.</p> <p>13 Q. And I assume those days were unpaid?</p> <p>14 A. Yes.</p> <p>15 Q. And as a result of missing that time, has</p> <p>16 your employer taken any adverse action regarding</p> <p>17 your employment status?</p> <p>18 A. No. That's why I needed to get FMLA.</p> <p>19 Q. And when did you get FMLA?</p> <p>20 A. February of '18.</p> <p>21 Q. February of 2018?</p>	<p style="text-align: right;">Page 81</p> <p>1 A. Yes.</p> <p>2 Q. Or working from home?</p> <p>3 A. Yes.</p> <p>4 Q. So, as I understand your testimony, in</p> <p>5 2018, you're claiming lost wages for approximately</p> <p>6 25 unpaid days; is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. And carrying over into 2019, we talked</p> <p>9 earlier that you've used your paid time off?</p> <p>10 A. Yes.</p> <p>11 Q. Have you also been extended ten</p> <p>12 additional days of unpaid leave?</p> <p>13 A. No. They don't do that any more.</p> <p>14 Q. How many days in addition to</p> <p>15 your -- strike that.</p> <p>16 How many days over your PTO have you</p> <p>17 taken off in 2019?</p> <p>18 A. What is this, March? Give me a second.</p> <p>19 Maybe 24 days. I'm just -- I'm doing an</p> <p>20 approximate six days a month times four.</p> <p>21 Q. Okay. So, it's March --</p>

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<p>1 A. So, three -- so 18.</p> <p>2 Q. So, if -- are -- the 18 or 24 days, is</p> <p>3 that including the PTO that you told me I think was</p> <p>4 15 days?</p> <p>5 A. Um-hum, (Nodding head yes.)</p> <p>6 MS. CLARY: Yes.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. Okay.</p> <p>9 A. Yes.</p> <p>10 THE WITNESS: Sorry.</p> <p>11 MS. CLARY: That's okay.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. All right. So, in that scenario,</p> <p>14 understanding that you're estimating, we would be</p> <p>15 talking about three unpaid days to nine unpaid</p> <p>16 days; is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And what is -- what is causing you</p> <p>19 to take that time off?</p> <p>20 A. Sometimes -- sometimes I just can't get</p> <p>21 out of bed; other times I actually get to work and</p>	<p>1 opinion that you cannot work because of your</p> <p>2 anxiety?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And which healthcare provider was</p> <p>5 that?</p> <p>6 A. Dr. Donato.</p> <p>7 Q. And he was your psychologist?</p> <p>8 A. Yes.</p> <p>9 Q. And did he also offer the opinion that</p> <p>10 you couldn't work because of your depression?</p> <p>11 A. Yes.</p> <p>12 Q. And has he declared that you can't work</p> <p>13 as a result of any other condition?</p> <p>14 A. No.</p> <p>15 Q. Do you recall what Dr. Akoda looked like?</p> <p>16 A. Yeah.</p> <p>17 Q. Can you just briefly describe his</p> <p>18 appearance for me?</p> <p>19 A. Tall, African with glasses.</p> <p>20 Q. Did he speak with an accent, do you know?</p> <p>21 A. Yes.</p>
Page 83	Page 85
<p>1 can't focus on what's going on. Other days I</p> <p>2 just -- I don't feel well enough to get up. I</p> <p>3 just -- I'm depressed or my anxiety -- or I'm not</p> <p>4 sleeping at night, so I can't get up in the</p> <p>5 morning. And a lot of times if I deal with a</p> <p>6 person over the phone -- if I deal with a person</p> <p>7 over the phone, it can -- in a -- in a negative</p> <p>8 way, it affects me emotionally like for the rest of</p> <p>9 the day. So, I can't go back to work sometimes.</p> <p>10 I mean, it really just depends because</p> <p>11 anything can trigger me feeling sad or depressed or</p> <p>12 worthless.</p> <p>13 Q. And if you were -- so, because you're</p> <p>14 working from home, I assume when you were talking</p> <p>15 about taking time off, you're calling in saying</p> <p>16 that you're not available to work that day --</p> <p>17 A. Correct.</p> <p>18 Q. -- from home, correct?</p> <p>19 A. Correct. Yeah. We're talking about</p> <p>20 going downstairs from my bedroom to my office; yes.</p> <p>21 Q. Has any healthcare provider given you the</p>	<p>1 Q. And it's my understanding from your</p> <p>2 records that your child was delivered successfully,</p> <p>3 and healthy, and without complication; is that</p> <p>4 correct?</p> <p>5 A. Yes.</p> <p>6 Q. Did you have any additional interactions</p> <p>7 with Dr. Akoda that we haven't otherwise discussed?</p> <p>8 A. No.</p> <p>9 Q. Do you recall when you were admitted to</p> <p>10 the OB service at PG County Hospital Center on</p> <p>11 March 16, 2016 that you were --</p> <p>12 MS. CLARY: Excuse me.</p> <p>13 BY MR. CATHELL:</p> <p>14 Q. -- that you executed a consent form?</p> <p>15 A. I'm -- I'm assuming. I guess I did sign</p> <p>16 it.</p> <p>17 (Whereupon, Evans Deposition Exhibit 2,</p> <p>18 Consent Form, marked for identification.)</p> <p>19 BY MR. CATHELL:</p> <p>20 Q. I'm going to show you what's been marked</p> <p>21 as Defense Exhibit 2. The first page has the</p>

<p style="text-align: right;">Page 86</p> <p>1 exhibit sticker on it.</p> <p>2 A. Um-hum.</p> <p>3 Q. The second page, I will ask you if you</p> <p>4 can identify the signature, which is on the</p> <p>5 left-hand column towards the bottom, please.</p> <p>6 (Whereupon, there was a pause for</p> <p>7 document examination.)</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MR. CATHELL:</p> <p>10 Q. Is that your signature on the second</p> <p>11 page?</p> <p>12 A. Yes.</p> <p>13 Q. Also, on the first page, the top</p> <p>14 paragraph, there is a paragraph starting with</p> <p>15 the -- in all capital letters, Physicians Not As</p> <p>16 Employees. Would you agree that those are your</p> <p>17 init- -- your initials at the conclusion of that</p> <p>18 paragraph?</p> <p>19 A. Yes.</p> <p>20 Q. Did you ever see Dr. Moore -- strike</p> <p>21 that.</p>	<p style="text-align: right;">Page 88</p> <p>1 Center in March of 2016?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And describe that contention for</p> <p>4 me, please.</p> <p>5 A. I wasn't feeling like that beforehand.</p> <p>6 The experience that I had with him left --</p> <p>7 Q. Him being, just so the record is clear?</p> <p>8 A. Him being Dr. Akoda. I'm sorry. The</p> <p>9 experience I had with Dr. Akoda left me feeling</p> <p>10 uncomfortable with any kind of medical professional</p> <p>11 directly after that. I didn't even go for a</p> <p>12 six-week check-up. And me not knowing what to do</p> <p>13 about how I -- how I felt I was treated during the</p> <p>14 delivery of my son with the sexual things that he</p> <p>15 were doing -- he was doing, I didn't know how to</p> <p>16 handle that. I didn't know if it was the right</p> <p>17 thing to do. I don't know if he was supposed to do</p> <p>18 that, so I was going through a lot of stuff while</p> <p>19 trying to raise a newborn just by going through</p> <p>20 that whole -- that whole scenario.</p> <p>21 Q. That whole scenario being?</p>
<p style="text-align: right;">Page 87</p> <p>1 Were you ever seen by Dr. Moore at</p> <p>2 Dr. Moore's private practice?</p> <p>3 A. Yes.</p> <p>4 Q. Was there anything in Dr. Moore's private</p> <p>5 practice that led you to believe he was affiliated</p> <p>6 with the Prince George's County Hospital Center?</p> <p>7 A. At his office, no, but that's what he</p> <p>8 told me.</p> <p>9 Q. That's what Dr. Moore told you?</p> <p>10 A. Yeah. That was the reason that's where</p> <p>11 my delivery was scheduled.</p> <p>12 Q. And what did he tell you?</p> <p>13 A. That that's where he had privileges.</p> <p>14 Q. Is it -- is it your contention that you</p> <p>15 were suffering from depression, anxiety, and the</p> <p>16 sleepless nights prior to learning of the</p> <p>17 Akoda -- the allegations surrounding Dr. Akoda?</p> <p>18 A. Yes.</p> <p>19 Q. Is it your contention that you were</p> <p>20 suffering those things as a result of your</p> <p>21 experience at Prince George's County Hospital</p>	<p style="text-align: right;">Page 89</p> <p>1 A. The -- the sex -- the way he treated me</p> <p>2 sexually, the way that my son -- like I pushed my</p> <p>3 son out was -- my son -- I was in delivery for 12</p> <p>4 hours before they took me to -- before they took me</p> <p>5 for a C-section, so it was -- it was just a, a very</p> <p>6 long process that was draining, and I didn't leave</p> <p>7 the hospital with the best -- like this was the</p> <p>8 best-day-of-my-life feeling.</p> <p>9 Q. Did you report the -- did you report the</p> <p>10 inappropriate contact by Dr. Akoda to your</p> <p>11 psychiatrist, Dr. Smith, I believe?</p> <p>12 A. Yes.</p> <p>13 Q. Did you report it to Dr. Nnamani?</p> <p>14 A. Yes.</p> <p>15 Q. And did you report it to your</p> <p>16 psychologist, Dr. Donato?</p> <p>17 A. Yes.</p> <p>18 Q. The Answers to Interrogatories we have</p> <p>19 been referencing were received by us in July of</p> <p>20 2018, so presumably you signed them before that</p> <p>21 date, correct?</p>



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<p>1 A. Yes.</p> <p>2 Q. Does that in any way refresh your</p> <p>3 recollection as to when you would have first</p> <p>4 learned of the allegations surrounding Dr. Akoda as</p> <p>5 a result of the radio advertisement you described?</p> <p>6 A. June or July of '18 or June or July of</p> <p>7 that year.</p> <p>8 Q. Is it correct to say that you never</p> <p>9 discussed with Dr. Akoda the subject of hospital</p> <p>10 privileges?</p> <p>11 A. Is it safe to say that?</p> <p>12 Q. Yes.</p> <p>13 A. Yes. Yeah, I didn't discuss that.</p> <p>14 Q. Did you ever ask to see Dr. Akoda's</p> <p>15 driver's license?</p> <p>16 A. No.</p> <p>17 Q. His passport?</p> <p>18 A. No.</p> <p>19 Q. Did you ever ask if Dr. Akoda had any</p> <p>20 names, other than Dr. Akoda?</p> <p>21 A. No.</p>	<p>1 2016 did not comply with the standard of care?</p> <p>2 A. No.</p> <p>3 Q. You would agree that when Dr. Akoda came</p> <p>4 in to care for you, you agreed to allow him</p> <p>5 to -- to deliver your child and, otherwise, provide</p> <p>6 medical care to you?</p> <p>7 A. Yes.</p> <p>8 Q. Have you researched or learned of any</p> <p>9 additional information regarding his privileging</p> <p>10 status, other than that which has been provided by</p> <p>11 your attorneys?</p> <p>12 A. No.</p> <p>13 Q. Did anything Dr. Akoda do on March 17th,</p> <p>14 2016 make you feel that he was not medically</p> <p>15 qualified to care for you?</p> <p>16 MS. CLARY: Objection. Other than what</p> <p>17 she's testified to?</p> <p>18 BY MR. CATHELL:</p> <p>19 Q. Other than what you've testified to?</p> <p>20 A. Other than what I've testified to, no.</p> <p>21 Q. Did you confront Dr. Akoda directly</p>
Page 91	Page 93
<p>1 Q. Did you see Dr. Akoda interact with staff</p> <p>2 on any occasions?</p> <p>3 A. No. Not interaction, no. Just in and</p> <p>4 out the room preparing to get the room set up for</p> <p>5 delivery.</p> <p>6 Q. Did you see Dr. Akoda perform or act</p> <p>7 inappropriately towards staff at any point?</p> <p>8 A. No.</p> <p>9 Q. You would agree that your -- the delivery</p> <p>10 of Peyton was successful?</p> <p>11 A. Yeah, meaning that Peyton is fine, and he</p> <p>12 came out fine, but there were -- like I said, I was</p> <p>13 in labor for several hours before I actually had</p> <p>14 the C-section. So, it was -- it seemed like there</p> <p>15 might have been some complications in that process,</p> <p>16 because they could have just took me for a</p> <p>17 C-section instead of having me push for all that</p> <p>18 time.</p> <p>19 Q. Okay. Has -- has anyone given you -- has</p> <p>20 any medical provider or medical expert given you</p> <p>21 the opinion that Dr. Akoda's actions on March 17,</p>	<p>1 regarding the alleged inappropriate contact?</p> <p>2 A. No. My husband did, and I didn't know</p> <p>3 how to -- I didn't know what to do about it,</p> <p>4 actually.</p> <p>5 Q. Did you at any time fire Dr. Akoda?</p> <p>6 A. Fire him?</p> <p>7 Q. As your physician.</p> <p>8 A. He wasn't my physician to fire him.</p> <p>9 Q. Did you have -- I'm sorry. Go ahead.</p> <p>10 A. No, I was just saying, he wasn't my</p> <p>11 physician to fire him.</p> <p>12 Q. At any time while Dr. Akoda was caring</p> <p>13 for you on March 17, 2016, did you ask for another</p> <p>14 physician to render assistance to you?</p> <p>15 A. No. I was in labor, sir.</p> <p>16 Q. These are not judgmental questions.</p> <p>17 A. Okay.</p> <p>18 Q. I'm just asking questions --</p> <p>19 A. Oh, no.</p> <p>20 Q. -- that we believe are pertaining to</p> <p>21 class certification.</p>

<p style="text-align: right;">Page 94</p> <p>1 A. No.</p> <p>2 Q. We've established that at no time did you</p> <p>3 report the event to anyone, other than your</p> <p>4 husband, who was, obviously, witnessing it,</p> <p>5 correct?</p> <p>6 A. Correct.</p> <p>7 Q. Do you know of anyone else accusing</p> <p>8 Dr. Akoda of sexual impropriety?</p> <p>9 A. No.</p> <p>10 Q. Did any of the advertisements you heard</p> <p>11 mention or discuss claims of sexual impropriety</p> <p>12 against Dr. Akoda?</p> <p>13 A. No.</p> <p>14 Q. Are you aware that other -- strike that.</p> <p>15 Are you aware if other Plaintiffs in this</p> <p>16 lawsuit are claiming sexual impropriety on the part</p> <p>17 of Dr. Akoda?</p> <p>18 A. I am not.</p> <p>19 Q. Did any of the information you found on</p> <p>20 the Internet as a result of your Internet search</p> <p>21 mention or describe any claims of sexual</p>	<p style="text-align: right;">Page 96</p> <p>1 fact. I started realizing that it wasn't something</p> <p>2 that was related to just the natural things of a</p> <p>3 woman giving birth, if that makes sense.</p> <p>4 Q. I can't pretend to --</p> <p>5 A. To know --</p> <p>6 Q. -- to know about giving birth and making</p> <p>7 sense, but I -- so, you -- the -- the symptoms</p> <p>8 became apparent to you in February 2017, and it's</p> <p>9 my understanding that you first saw Dr. Smith in</p> <p>10 February of 2018?</p> <p>11 A. (Nodding head yes.)</p> <p>12 Q. Between February of 2017 and 2018, what</p> <p>13 were you doing, if anything, to treat those</p> <p>14 symptoms?</p> <p>15 A. Nothing. I didn't have health insurance.</p> <p>16 Q. And when did you get health insurance?</p> <p>17 A. We got health insurance through my</p> <p>18 husband's employer around I want to say maybe</p> <p>19 October. Because open enrollment is in September,</p> <p>20 so maybe October of '17, maybe.</p> <p>21 Q. And have you maintained that health</p>
<p style="text-align: right;">Page 95</p> <p>1 impropriety against Dr. Akoda?</p> <p>2 A. No, sir.</p> <p>3 Q. Did you have a life-threatening</p> <p>4 experience when interacting with Dr. Akoda?</p> <p>5 A. No.</p> <p>6 Q. I believe you told me that you first</p> <p>7 began having symptoms regarding your interaction</p> <p>8 with Dr. Akoda approximately one year after</p> <p>9 delivery; is that accurate?</p> <p>10 A. Yes.</p> <p>11 Q. And that would be approximately February</p> <p>12 2017, correct?</p> <p>13 A. Correct. Now, that's saying that the</p> <p>14 symptoms -- realizing that the symptoms weren't</p> <p>15 just regular symptoms from childbirth or being</p> <p>16 depressed after having a baby, you know, or</p> <p>17 something like that. Does that change any -- okay.</p> <p>18 Does that -- okay. I just want to make sure that I</p> <p>19 say that.</p> <p>20 I always -- not always, but I felt -- I</p> <p>21 didn't just start feeling that way a year after the</p>	<p style="text-align: right;">Page 97</p> <p>1 insurance since that time?</p> <p>2 A. Well, now we have health insurance</p> <p>3 through my employer, but we've -- we've remained</p> <p>4 having health insurance, not that one, but we do</p> <p>5 have health insurance.</p> <p>6 Q. Did you have health insurance at the time</p> <p>7 you gave birth to Peyton?</p> <p>8 A. I had Medicaid.</p> <p>9 Q. Had you reached out to Medicaid or to an</p> <p>10 individual medical provider in an effort to receive</p> <p>11 mental health treatment and whether that treatment</p> <p>12 would be covered by Medicaid?</p> <p>13 A. No. My Medicaid was only covering the</p> <p>14 deliver -- the delivery of my son, because I</p> <p>15 actually made too much money at my job to be</p> <p>16 qualified for regular Medicaid, and then my job's</p> <p>17 insurance didn't start until after -- after I would</p> <p>18 have already been out of work. So, I was able to</p> <p>19 get emergency Medicaid for that period of time just</p> <p>20 so I could have delivery. So, I didn't have</p> <p>21 Medicaid after delivering my son.</p>

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<p>1 Q. Okay. And upon seeking treatment with</p> <p>2 Dr. Smith in February of 2018, did you immediately</p> <p>3 tell Dr. Smith that you had been touched</p> <p>4 inappropriately by Dr. Akoda?</p> <p>5 A. Yeah. We discussed it, everything during</p> <p>6 that first encounter.</p> <p>7 Q. Did you talk with a doctor named</p> <p>8 Dr. Fiester in this case?</p> <p>9 A. I did.</p> <p>10 Q. And do you recall when you talked to</p> <p>11 Dr. Fiester?</p> <p>12 A. I don't. I don't know if it was -- I</p> <p>13 want to say it was between maybe October and</p> <p>14 December of '18, but I can't be sure.</p> <p>15 Q. Okay.</p> <p>16 MR. CATHELL: One second while I look for</p> <p>17 that report, please.</p> <p>18 (Whereupon, there was a pause for</p> <p>19 document examination.)</p> <p>20 BY MR. CATHELL:</p> <p>21 Q. How many times did you talk to</p>	<p>1 interview with Dr. Fiester?</p> <p>2 A. No.</p> <p>3 Q. Where were you when you spoke to</p> <p>4 Dr. Fiester?</p> <p>5 A. Home.</p> <p>6 Q. Was anyone present?</p> <p>7 A. No.</p> <p>8 Q. Was anyone present with you while you</p> <p>9 were talking to Dr. Fiester?</p> <p>10 A. No.</p> <p>11 Q. Had you discussed with anyone, other than</p> <p>12 your attorneys, what to expect during the call with</p> <p>13 Dr. Fiester?</p> <p>14 A. No.</p> <p>15 Q. Had you been provided any</p> <p>16 information -- strike that.</p> <p>17 What did Dr. Fiester ask you or -- or, if</p> <p>18 you prefer, just describe for me the interview?</p> <p>19 A. We just talked about anything that might</p> <p>20 have happened in my past, things that are going on</p> <p>21 now, and what I felt -- how I felt about Dr. Akoda.</p>
Page 99	Page 101
<p>1 Dr. Fiester?</p> <p>2 A. One time.</p> <p>3 Q. And did you meet with Dr. Fiester in</p> <p>4 person?</p> <p>5 A. No.</p> <p>6 Q. How did you talk with Dr. Fiester? Was</p> <p>7 that over the telephone, --</p> <p>8 A. Yes.</p> <p>9 Q. -- or was that by video conference?</p> <p>10 A. It was over the telephone.</p> <p>11 Q. Have you met Dr. Fiester at any time?</p> <p>12 A. No.</p> <p>13 Q. And do you recall how long the interview</p> <p>14 with Dr. Fiester lasted?</p> <p>15 A. More than an hour.</p> <p>16 Q. More than an hour?</p> <p>17 A. (Nodding head yes.) Maybe an hour.</p> <p>18 Q. And were you asked to prepare anything</p> <p>19 prior to the interview with Dr. Fiester?</p> <p>20 A. No.</p> <p>21 Q. Did you take any notes during the</p>	<p>1 Q. And describe for me what you discussed</p> <p>2 about things that occurred in the past.</p> <p>3 A. There were no trauma in my past. Nothing</p> <p>4 to talk about, really.</p> <p>5 Q. Okay. You also mentioned that you</p> <p>6 discussed things going on now. Can you describe</p> <p>7 that for me?</p> <p>8 A. Um-hum. Like -- like work, every day</p> <p>9 life, being a mom. You know, just normal -- you</p> <p>10 know, just how my life is on an everyday basis.</p> <p>11 Q. And you also said that you talked about</p> <p>12 the things going on with Dr. Akoda?</p> <p>13 A. Um-hum.</p> <p>14 Q. What did you discuss in that regard?</p> <p>15 A. She asked me to explain to her exactly</p> <p>16 what happened and how I felt about it, and I did</p> <p>17 the same as I did with you just now.</p> <p>18 Q. Did you share with her any additional</p> <p>19 information that we have not discussed today?</p> <p>20 A. No.</p> <p>21 Q. And did Dr. Fiester make any treatment</p>

<p style="text-align: right;">Page 102</p> <p>1 recommendations for you?</p> <p>2 A. She said that I should have some kind of</p> <p>3 therapy, but I forget what the name of it was.</p> <p>4 Q. Had you shared with her that you had been</p> <p>5 receiving therapy by Dr. Donato?</p> <p>6 A. Yes. It was a specific kind of therapy.</p> <p>7 EMI, EMD. I haven't found anyone who specializes</p> <p>8 in that yet.</p> <p>9 Q. Can you say that again, please?</p> <p>10 A. It was EMI or EMD or something to that</p> <p>11 effect. I can't remember the initials.</p> <p>12 Q. And do you have an understanding as to</p> <p>13 what that specific treatment is designed to treat?</p> <p>14 A. It's-- I think it's a mechanism -- it</p> <p>15 helps to deal with PTSD, I believe, and anxiety.</p> <p>16 Q. Have you been working with Drs. Donato</p> <p>17 and Nnamani regarding your PTSD?</p> <p>18 A. Yes.</p> <p>19 Q. And we talked about Dr. Smith's diagnoses</p> <p>20 of depression and anxiety. When were you first</p> <p>21 diagnosed with PTSD?</p>	<p style="text-align: right;">Page 104</p> <p>1 Q. Other than the recommendation of EIMED</p> <p>2 therapy for the PTSD, did she make any other</p> <p>3 treatment recommendations?</p> <p>4 A. No.</p> <p>5 Q. Did she at any time refer you to anyone</p> <p>6 else for treatment?</p> <p>7 A. No.</p> <p>8 Q. Just to be clear for the record, did</p> <p>9 Dr. Fiester diagnose you with depression?</p> <p>10 A. No.</p> <p>11 Q. Or anxiety?</p> <p>12 A. No.</p> <p>13 Q. Or PTSD?</p> <p>14 A. No.</p> <p>15 Q. Have you read the Complaint in this</p> <p>16 matter?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And do you know what the Complaint</p> <p>19 is in a lawsuit?</p> <p>20 A. Yes.</p> <p>21 Q. And when did you first review the</p>
<p style="text-align: right;">Page 103</p> <p>1 A. Through Dr. Donato.</p> <p>2 Q. And when did Dr. Donato first diagnose</p> <p>3 you with that?</p> <p>4 A. During our first visit.</p> <p>5 Q. Which I under -- understand to be, I</p> <p>6 believe, October of 2018; is that correct?</p> <p>7 A. That's when I -- no. I saw Donato in the</p> <p>8 summer of '18. I saw Dr. Nnamani in October of</p> <p>9 '18.</p> <p>10 Q. Other than Dr. Donato, did Dr. Smith or</p> <p>11 Nnamani ever diagnose you with PTSD?</p> <p>12 A. No. I only saw Dr. Smith once</p> <p>13 face-to-face, and after that, it was phone</p> <p>14 interviews. And Dr. Nnamani was -- didn't do any</p> <p>15 additional diagnosis.</p> <p>16 Q. Did Dr. Fiester diagnose you with</p> <p>17 anything?</p> <p>18 A. No.</p> <p>19 Q. Do you consider Dr. Fiester to be your</p> <p>20 doctor?</p> <p>21 A. No.</p>	<p style="text-align: right;">Page 105</p> <p>1 Complaint?</p> <p>2 A. I don't recall when I first reviewed it.</p> <p>3 Q. Did you review it prior to it being</p> <p>4 filed?</p> <p>5 A. I don't know when it was filed.</p> <p>6 Q. Okay.</p> <p>7 MR. CATHELL: Do you have that?</p> <p>8 MS. CLARY: The Complaint?</p> <p>9 MR. CATHELL: Yeah.</p> <p>10 MS. CLARY: I have the Complaint. I'm</p> <p>11 not sure she would know -- well --</p> <p>12 MR. CATHELL: I don't think I'm really</p> <p>13 going to follow up, but can I see just it?</p> <p>14 MS. CLARY: Yeah. Sure. It looks like</p> <p>15 there's the date stamp.</p> <p>16 (Document tendered.)</p> <p>17 MR. CATHELL: Yeah.</p> <p>18 (Whereupon, there was a pause for</p> <p>19 document examination.)</p> <p>20 BY MR. CATHELL:</p> <p>21 Q. I believe your response was that you</p>

<p style="text-align: right;">Page 106</p> <p>1 don't know whether you reviewed it --</p> <p>2 A. Correct.</p> <p>3 Q. -- prior to it being filed, correct?</p> <p>4 A. Um-hum.</p> <p>5 MS. CLARY: Yes?</p> <p>6 THE WITNESS: Yes.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. How many times have you reviewed the</p> <p>9 Complaint?</p> <p>10 A. Twice.</p> <p>11 Q. If you'll give your attorney a second to</p> <p>12 object, please. Did you meet with your attorneys</p> <p>13 before the Complaint was filed?</p> <p>14 MS. CLARY: Objection, and I'm going to</p> <p>15 instruct you not to answer in that it's protected</p> <p>16 by the attorney/client privilege and work product</p> <p>17 doctrine.</p> <p>18 MR. CATHELL: And note our response from</p> <p>19 prior depositions.</p> <p>20 MS. CLARY: Sure.</p> <p>21 BY MR. CATHELL:</p>	<p style="text-align: right;">Page 108</p> <p>1 been filed in court in this case, other than</p> <p>2 the -- the Complaint that we've already discussed?</p> <p>3 A. No.</p> <p>4 Q. Have you gone to any of the court</p> <p>5 hearings in this case?</p> <p>6 A. No.</p> <p>7 Q. And why not?</p> <p>8 A. I didn't know I needed to be at them.</p> <p>9 Q. Do you plan on going to future court</p> <p>10 hearings in this case?</p> <p>11 A. If requested by my attorney.</p> <p>12 Q. Will you be attending the hearing on</p> <p>13 class certification?</p> <p>14 A. If -- if I need to be there.</p> <p>15 Q. Do you know what class certification is?</p> <p>16 A. Yes.</p> <p>17 Q. Please tell me what your understanding</p> <p>18 is.</p> <p>19 A. It's a, a lot of people with one issue, I</p> <p>20 guess, under one lawsuit instead of it all being</p> <p>21 individual ones.</p>
<p style="text-align: right;">Page 107</p> <p>1 Q. I would ask you a series of questions,</p> <p>2 for the record, regarding your interactions with</p> <p>3 your counsel, how many times you have met with them</p> <p>4 in preparing the Complaint, in participation in</p> <p>5 preparing the Complaint, your general input in</p> <p>6 preparing the Complaint, as well as the -- the</p> <p>7 contact you've had with them regarding this class</p> <p>8 certification process.</p> <p>9 It's my understanding your attorney is</p> <p>10 going to object to those questions. I just want to</p> <p>11 make sure the record is clear that I would ask</p> <p>12 them, that we take exception to the objection to</p> <p>13 the extent we think they're relevant for class</p> <p>14 certification, and so I will move on.</p> <p>15 MS. CLARY: Fair enough. I do object. I</p> <p>16 note your exception.</p> <p>17 BY MR. CATHELL:</p> <p>18 Q. Have you been in contact with any of the</p> <p>19 other class Plaintiffs?</p> <p>20 A. No.</p> <p>21 Q. Have you read any of the papers that have</p>	<p style="text-align: right;">Page 109</p> <p>1 Q. Do you know what causes of action are</p> <p>2 being asserted in the Complaint?</p> <p>3 A. No.</p> <p>4 Q. Do you know what damages the Complaint is</p> <p>5 seeking?</p> <p>6 A. No.</p> <p>7 Q. Do you know the names of the Defendants</p> <p>8 that you are suing in this case?</p> <p>9 A. Dimensions Health Corp.</p> <p>10 Q. Anyone else?</p> <p>11 A. No.</p> <p>12 Q. Is Dr. Akoda a defendant in this lawsuit?</p> <p>13 A. No.</p> <p>14 Q. I asked if you had been in contact with</p> <p>15 any of the other Plaintiffs, and you said, no. I</p> <p>16 assume you haven't met with any of the other</p> <p>17 Plaintiffs?</p> <p>18 A. Correct. No.</p> <p>19 Q. Do you know the names of any other</p> <p>20 Plaintiff?</p> <p>21 A. I do not.</p>



<p style="text-align: right;">Page 110</p> <p>1 Q. Are you aware that the Complaint is</p> <p>2 asking the court to certify this case as a class</p> <p>3 action?</p> <p>4 A. Yes.</p> <p>5 Q. And do you know how many proposed class</p> <p>6 members there are?</p> <p>7 A. I do not.</p> <p>8 Q. Do you know which law firms represent the</p> <p>9 proposed class members?</p> <p>10 A. No.</p> <p>11 Q. Do you know whether each member of the</p> <p>12 proposed class is asserting the same claims as you</p> <p>13 in the case?</p> <p>14 A. No.</p> <p>15 Q. Have you tried to learn about the claims</p> <p>16 of the other proposed class members?</p> <p>17 A. No, sir.</p> <p>18 Q. Have you determined whether your claims</p> <p>19 are different than yours in any way?</p> <p>20 A. No, sir.</p> <p>21 Q. Do you know whether each member of the</p>	<p style="text-align: right;">Page 112</p> <p>1 interviewed, if you know?</p> <p>2 A. I don't know. It's a lot of people, I</p> <p>3 guess. I don't know. I'm assuming class action</p> <p>4 means a lot of people, and that's a lot of</p> <p>5 interviews. I'm not sure.</p> <p>6 Q. Do you know if there was a mediation in</p> <p>7 this case? And if you don't understand what a</p> <p>8 mediation is, I'm happy to rephrase the question.</p> <p>9 A. Yes. Yes, I'm aware.</p> <p>10 Q. Okay.</p> <p>11 MS. CLARY: She did a good job there,</p> <p>12 didn't she?</p> <p>13 MR. CATHELL: Ready for law school.</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. Do you know what occurred at the</p> <p>16 mediation?</p> <p>17 A. Yes.</p> <p>18 Q. And tell me your understanding of what</p> <p>19 occurred, absent discussions with your attorneys.</p> <p>20 A. That there was a settlement offered and</p> <p>21 rejected.</p>
<p style="text-align: right;">Page 111</p> <p>1 proposed class is seeking the same damages as you</p> <p>2 are in this case?</p> <p>3 A. I do not.</p> <p>4 Q. Are you aware that you've been designated</p> <p>5 as a class representative in this lawsuit?</p> <p>6 A. Yes.</p> <p>7 Q. And do you know what it means to be a</p> <p>8 class representative in a class action?</p> <p>9 A. Yes.</p> <p>10 Q. Please describe your understanding for</p> <p>11 me.</p> <p>12 A. My understanding is that I am -- my case</p> <p>13 is just an example of the overall cases to</p> <p>14 represent everyone else.</p> <p>15 Q. And what is your role as a class</p> <p>16 representative?</p> <p>17 A. Just to represent or to -- yeah, to give</p> <p>18 the correct information to help represent everyone</p> <p>19 else that's -- that can't be interviewed, I'm</p> <p>20 assuming. I don't know.</p> <p>21 Q. And why would they not be able to be</p>	<p style="text-align: right;">Page 113</p> <p>1 Q. Okay. Do you -- how much was the</p> <p>2 settlement offer, do you know?</p> <p>3 A. \$1,000.</p> <p>4 Q. \$1,000 per Plaintiff, correct?</p> <p>5 A. Per Plaintiff.</p> <p>6 Q. Prior to the mediation, what involvement</p> <p>7 did you have in determining what dollar amount</p> <p>8 recovery would be acceptable to you and/or a</p> <p>9 potential class?</p> <p>10 MS. CLARY: I'm going to object and</p> <p>11 instruct her not to answer. That's protected by</p> <p>12 both the attorney/client privilege and the work</p> <p>13 product doctrine.</p> <p>14 MR. CATHELL: Note our response for the</p> <p>15 record, please.</p> <p>16 BY MR. CATHELL:</p> <p>17 Q. Do you know whether you are responsible</p> <p>18 for paying any of the costs or expenses for this</p> <p>19 litigation?</p> <p>20 MS. CLARY: Same objection, and I am -- I</p> <p>21 am instructing her not to answer that question.</p>

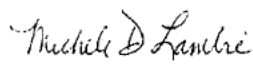
<p style="text-align: right;">Page 114</p> <p>1 BY MR. CATHELL:</p> <p>2 Q. Did you sign a retainer agreement with</p> <p>3 the Schochor law firm?</p> <p>4 MS. CLARY: I'm also going to object.</p> <p>5 You can answer yes or no as to whether you signed</p> <p>6 an agreement, a retainer with us.</p> <p>7 THE WITNESS: No -- yes. I don't know</p> <p>8 what -- I don't, because what is --</p> <p>9 BY MR. CATHELL:</p> <p>10 Q. Just a yes or no. Because I don't want</p> <p>11 you to start --</p> <p>12 A. Okay.</p> <p>13 Q. She objected, --</p> <p>14 A. Okay.</p> <p>15 Q. -- and I don't want you to talk about you</p> <p>16 things that --</p> <p>17 A. Okay. So -- oh.</p> <p>18 Q. She objected. If you don't know, it's</p> <p>19 okay. I -- I don't want you to explain and say</p> <p>20 things that she objected to --</p> <p>21 A. I don't know.</p>	<p style="text-align: right;">Page 116</p> <p>1 A. (Nodding head yes.)</p> <p>2 Q. I would ask you questions -- additional</p> <p>3 questions about the retainer agreement. Counsel</p> <p>4 has objected to those in prior depositions, and</p> <p>5 we've noted our responses for the record.</p> <p>6 MS. CLARY: Agreed.</p> <p>7 BY MR. CATHELL:</p> <p>8 Q. Have you seen any documents that were</p> <p>9 produced by the Defendants in this case?</p> <p>10 A. No.</p> <p>11 MS. CLARY: Oh, I heard that.</p> <p>12 THE WITNESS: That's that 40 kicking in,</p> <p>13 ma'am.</p> <p>14 BY MR. CATHELL:</p> <p>15 Q. Do you know whether Dr. Akoda is a</p> <p>16 Defendant in any other pending lawsuit?</p> <p>17 A. I do not know, sir.</p> <p>18 Q. Are you part of a class action lawsuit in</p> <p>19 the United States Federal District Court in</p> <p>20 Philadelphia against ECFMG regarding their</p> <p>21 certification of Dr. Akoda?</p>
<p style="text-align: right;">Page 115</p> <p>1 Q. -- out of fairness to her.</p> <p>2 A. I don't know.</p> <p>3 Q. Okay.</p> <p>4 MS. CLARY: I can certainly proffer, if</p> <p>5 you would like me to, that we do have a signed</p> <p>6 agreement of retainer from Mrs. Evans, --</p> <p>7 MR. CATHELL: Thank you.</p> <p>8 MS. CLARY: -- but I'm going to object to</p> <p>9 providing it.</p> <p>10 MR. CATHELL: Sure.</p> <p>11 THE WITNESS: Okay.</p> <p>12 BY MR. CATHELL:</p> <p>13 Q. We would -- we would request production</p> <p>14 of the retainer agreement. That's something that</p> <p>15 would be effected through your counsel. They're</p> <p>16 objecting to it, and it's an issue that will be</p> <p>17 taken up with the court. But I'm simply telling</p> <p>18 you that, to put you on notice that if the court</p> <p>19 were to decide that we could prevail, that we would</p> <p>20 be able to obtain a copy of your retainer</p> <p>21 agreement, okay?</p>	<p style="text-align: right;">Page 117</p> <p>1 A. I am.</p> <p>2 Q. Are you a class Plaintiff in that as</p> <p>3 well?</p> <p>4 A. Yes.</p> <p>5 Q. Have you given a deposition in that case?</p> <p>6 A. No.</p> <p>7 Q. What is your understanding as to the</p> <p>8 allegations in that lawsuit?</p> <p>9 A. That they didn't do proper</p> <p>10 cre- -- credentialing.</p> <p>11 Q. Based on your status as a class Plaintiff</p> <p>12 in that lawsuit, do you have an understanding of</p> <p>13 ECFMG's role in certifying Dr. Akoda?</p> <p>14 A. Yes.</p> <p>15 Q. And what is your understanding?</p> <p>16 A. That they have the obligation to make</p> <p>17 sure that all of his documents are correct and that</p> <p>18 he who -- he is who he says he is.</p> <p>19 Q. And do you know how ECFMG does its</p> <p>20 certification?</p> <p>21 A. I do not.</p>

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<p>1 Q. Are you aware of the background checks</p> <p>2 that ECFMG conducts?</p> <p>3 A. No, sir.</p> <p>4 Q. Earlier I was asking you questions about</p> <p>5 radio advertisements, TV advertisements, and your</p> <p>6 Internet search, and I probably should have phrased</p> <p>7 this question as to include media coverage and not</p> <p>8 just advertisements.</p> <p>9 So, you told me that you didn't observe</p> <p>10 any television advertisements, but have you at any</p> <p>11 time observed television coverage regarding the</p> <p>12 allegations against Dr. Akoda?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And what was that? What were</p> <p>15 those -- what was that coverage that you observed?</p> <p>16 A. I don't know what news it was, but it was</p> <p>17 on the news about Dr. Akoda. I believe it said he</p> <p>18 wasn't a doctor.</p> <p>19 Q. Anything else that you recall?</p> <p>20 A. No.</p> <p>21 Q. And the same for your Internet search,</p>	<p>1 she could deliver your baby safe and healthy,</p> <p>2 correct?</p> <p>3 A. When choosing one, yes.</p> <p>4 Q. You did not care if your OB/GYN was a man</p> <p>5 or a woman?</p> <p>6 A. No.</p> <p>7 Q. You didn't care about the OB/GYN's race?</p> <p>8 A. No.</p> <p>9 Q. Or nationality?</p> <p>10 A. No.</p> <p>11 Q. And you did not care about the exact</p> <p>12 location of the physician, beyond he or she being</p> <p>13 local to the area, correct?</p> <p>14 A. Correct.</p> <p>15 Q. You agree that you did not care about the</p> <p>16 OB/GYN's name alone?</p> <p>17 A. No.</p> <p>18 Q. In other words, would you have not</p> <p>19 selected an OB/GYN based upon that OB/GYN's</p> <p>20 specific name?</p> <p>21 A. No. No.</p>
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<p>1 were there -- was there information you learned</p> <p>2 through the Internet that was not an advertisement</p> <p>3 regarding Dr. -- the allegations surrounding</p> <p>4 Dr. Akoda?</p> <p>5 A. No.</p> <p>6 Q. Is that the same with the radio as well?</p> <p>7 A. Yes.</p> <p>8 Q. Did you participate in any interview with</p> <p>9 any media person or organization about your</p> <p>10 involvement with Dr. Akoda?</p> <p>11 A. No.</p> <p>12 Q. Did you go on The Dr. Oz Show?</p> <p>13 A. No.</p> <p>14 Q. Were you contacted to go on The Dr. Oz</p> <p>15 Show?</p> <p>16 A. No.</p> <p>17 Q. Is it fair to say that when choosing your</p> <p>18 OB/GYN, you selected based upon the skill set of</p> <p>19 the physician?</p> <p>20 A. Yes.</p> <p>21 Q. And I assume your concern was that he or</p>	<p>1 Q. And you've agreed earlier in the</p> <p>2 deposition, I believe, that Dr. Akoda delivered</p> <p>3 your baby safe and healthy, correct?</p> <p>4 A. Yes.</p> <p>5 Q. We've established that you have one</p> <p>6 child. How many pregnancies have you had?</p> <p>7 A. Two.</p> <p>8 Q. Okay. And when was the second pregnancy?</p> <p>9 A. That was the second pregnancy.</p> <p>10 Q. When was the first pregnancy?</p> <p>11 A. Maybe a year and a half prior.</p> <p>12 Q. And I apologize, but what -- what -- what</p> <p>13 did that pregnancy result in?</p> <p>14 A. A miscarriage.</p> <p>15 Q. And were you under the care of an OB/GYN</p> <p>16 during that pregnancy?</p> <p>17 A. No. I had a miscarriage early in the</p> <p>18 pregnancy.</p> <p>19 MR. CATHELL: I believe we're finished.</p> <p>20 If I could just look at my notes, please.</p> <p>21 THE WITNESS: Yes, sir.</p>

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<p>1 THE VIDEOGRAPHER: Do you want to stay on</p> <p>2 the record?</p> <p>3 MS. CLARY: I have just one follow-up</p> <p>4 question.</p> <p>5 MR. CATHELL: Okay.</p> <p>6 MS. CLARY: Why don't I do that while you</p> <p>7 look at your notes, if you don't mind.</p> <p>8 MR. CATHELL: Go ahead.</p> <p>9 CROSS-EXAMINATION</p> <p>10 BY MS. CLARY:</p> <p>11 Q. I apologize if -- if you've covered this</p> <p>12 already, but going back to how you were feeling</p> <p>13 emotionally after the delivery of your son and</p> <p>14 after the time in which you sought care, can you</p> <p>15 help us understand whether you had a worsening of</p> <p>16 how you were feeling after you found out that</p> <p>17 Dr. Akoda was not who he said he was?</p> <p>18 A. Yes.</p> <p>19 Q. Can you describe for us how things got</p> <p>20 worse for you --</p> <p>21 A. Um-hum.</p>	<p>1 don't know.</p> <p>2 MS. CLARY: Thank you.</p> <p>3 REDIRECT EXAMINATION</p> <p>4 BY MR. CATHELL:</p> <p>5 Q. Just in following up with that. What --</p> <p>6 one thing that we -- I was trying to explore --</p> <p>7 A. Um-hum.</p> <p>8 Q. -- is you just -- you just said in</p> <p>9 response to your counsel that your condition</p> <p>10 worsened when you realized that his contact with</p> <p>11 you wasn't the case, meaning -- I think you were</p> <p>12 meaning that you realized that the contact he had</p> <p>13 with you, you realized may have been inappropriate;</p> <p>14 is that fair?</p> <p>15 A. Correct.</p> <p>16 Q. And my questions earlier were designed to</p> <p>17 try to determine when you learned or figured out or</p> <p>18 understood that his contact with you may have been</p> <p>19 inappropriate, and it's my understanding that the</p> <p>20 radio advertisements you heard did not discuss any</p> <p>21 type of substance of the allegations regarding</p>
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<p>1 Q. -- at that point in time?</p> <p>2 A. Yeah. So, after that, as I mentioned, I</p> <p>3 definitely didn't want to see a doctor after that.</p> <p>4 I already didn't want to see a doctor anyway</p> <p>5 because of how I felt he was inappropriate with me,</p> <p>6 but wasn't sure if that was really the process of</p> <p>7 having a baby. I never had a baby before,</p> <p>8 so -- and his explanation seemed like it was valid.</p> <p>9 You know, this is what I need to do in order for</p> <p>10 the baby to come out, you know.</p> <p>11 So, realizing that that wasn't the case</p> <p>12 and that I didn't say anything was extremely --</p> <p>13 that's -- I think that's the one thing that made it</p> <p>14 worse to me, was that I didn't say anything</p> <p>15 beforehand. I didn't do anything beforehand.</p> <p>16 So, it made me feel -- I don't know the</p> <p>17 word to use. I -- I started feeling more</p> <p>18 worthless. Like I couldn't even stand up for</p> <p>19 myself at that point, so that's how it got worse</p> <p>20 for me, not being able to stand up for myself and</p> <p>21 not being able to see a doctor at all because you</p>	<p>1 Dr. Akoda, correct?</p> <p>2 A. Correct.</p> <p>3 Q. And the Internet articles that you read</p> <p>4 did not include any of the substance against</p> <p>5 Dr. Akoda, except that I think you told me they</p> <p>6 suggested he may be a fraudulent doctor; is that</p> <p>7 fair?</p> <p>8 A. That's correct.</p> <p>9 Q. Was there anything, outside of what you</p> <p>10 learned from your attorney, that caused you to</p> <p>11 believe that Dr. Akoda's contact with you was</p> <p>12 inappropriate?</p> <p>13 MS. CLARY: Objection to the extent I</p> <p>14 think she's covered that, but you can go ahead</p> <p>15 again.</p> <p>16 THE WITNESS: Well, first, I always felt</p> <p>17 it was inappropriate because of the way it made me</p> <p>18 feel; however, me not being a medical professional</p> <p>19 or never having a baby before, I didn't know if</p> <p>20 what he was doing was actually a valid thing that</p> <p>21 you do when someone is giving birth to stimulate</p>

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<p>1 delivery.</p> <p>2 So, after I think I spoke to my cousin,</p> <p>3 who's a doctor, I spoke to my mom, and I spoke to</p> <p>4 my husband, and they let me know that my feelings</p> <p>5 were valid, and no, he wasn't supposed to do that,</p> <p>6 and you are one hundred percent okay with feeling</p> <p>7 the way that you feel.</p> <p>8 BY MR. CATHELL:</p> <p>9 Q. And when did you have those conversations</p> <p>10 with your cousin, your doctor -- I'm sorry, your</p> <p>11 cousin, your husband, and your mother?</p> <p>12 A. Well, my husband and my mom immediately</p> <p>13 after. You know, like, you know, maybe a week or</p> <p>14 so after going through the process of bringing the</p> <p>15 baby home and all of that, and probably my cousin,</p> <p>16 maybe a few weeks after that.</p> <p>17 Q. And so it was during those conversations</p> <p>18 that you came to the understanding that the contact</p> <p>19 Dr. Akoda made with you, that you've described for</p> <p>20 me earlier, was inappropriate?</p> <p>21 A. Correct. I have validation that it was</p>	<p>1 Ms. Evans, that we haven't, otherwise, discussed</p> <p>2 today?</p> <p>3 A. No, sir.</p> <p>4 Q. You were discharged three days following</p> <p>5 the birth of Peyton, correct?</p> <p>6 A. Yes.</p> <p>7 Q. And it seems to me that your medical</p> <p>8 records suggest that you were discharged to recover</p> <p>9 without complication?</p> <p>10 A. Yes.</p> <p>11 MR. CATHELL: That's all I have. Thank</p> <p>12 you very much.</p> <p>13 THE WITNESS: Thank you.</p> <p>14 MS. CLARY: She'll read and sign. You're</p> <p>15 all done.</p> <p>16 THE VIDEOGRAPHER: All right. Stand by.</p> <p>17 This concludes today's video-recorded</p> <p>18 deposition of Desire Evans. The time is now 12:27,</p> <p>19 and we are off the record.</p> <p>20 (Deposition concluded at 12:27 p.m.)</p> <p>21</p>
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<p>1 inappropriate, because I always believed that it</p> <p>2 was.</p> <p>3 Q. And did you share with your -- you said</p> <p>4 your cousin is a doctor?</p> <p>5 A. Yes.</p> <p>6 Q. Did you share with your doctor or</p> <p>7 your -- I'm sorry. Strike all of that.</p> <p>8 Did you share with your cousin the</p> <p>9 specifics of the alleged sexual impropriety against</p> <p>10 Dr. Akoda?</p> <p>11 A. By me, yes.</p> <p>12 Q. And what's your cousin's name?</p> <p>13 A. Tyrell Newton, M.D.</p> <p>14 Q. And is Dr. Newton a doctor in Maryland?</p> <p>15 A. No.</p> <p>16 Q. And where does he live or practice?</p> <p>17 A. North -- Florida. Jacksonville, Florida.</p> <p>18 Q. To your knowledge, did Dr. Newton report</p> <p>19 to anyone the alleged sexual contact?</p> <p>20 A. No.</p> <p>21 Q. Are there any claims that you are making,</p>	<p>1 Russell, et al. v. Dimensions Health Corp., et al</p> <p>2 Desire N. Evans</p> <p>3 INSTRUCTIONS TO THE WITNESS</p> <p>4 Please read your deposition over</p> <p>5 carefully and make any necessary corrections. You</p> <p>6 should state the reason in the appropriate space on</p> <p>7 the errata sheet for any corrections that are made.</p> <p>8 After doing so, please sign the errata</p> <p>9 sheet and date it.</p> <p>10 You are signing same subject to the</p> <p>11 changes you have noted on the errata sheet, what</p> <p>12 will be attached to the deposition.</p> <p>13 It is imperative that you return the</p> <p>14 original errata sheet to the deposing attorney</p> <p>15 thirty (30) days of receipt of the deposition</p> <p>16 transcript by you. If you fail to do so, the</p> <p>17 deposition transcript may be deemed to be accurate</p> <p>18 and may be used in court.</p> <p>19</p> <p>20</p> <p>21</p>



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1 Russell, et al. v. Dimensions Health Corp., et al.	1 State of Maryland
2 Desire N. Evans	2 County of Baltimore, to wit:
3 ERRATA	3 I, Michele D. Lambie, a Notary Public of
4 PAGE LINE CHANGE	4 the State of Maryland, County of Baltimore, do
5 --- --- -----	5 hereby certify that the within-named witness
6 Reason: _____	6 personally appeared before me at the time and place
7 --- --- -----	7 herein set out, and after having been duly sworn by
8 Reason: _____	8 me, according to law, was examined by counsel.
9 --- --- -----	9 I further certify that the examination
10 Reason: _____	10 was recorded stenographically by me and this
11 --- --- -----	11 transcript is a true record of the proceedings.
12 Reason: _____	12 I further certify that I am not of
13 --- --- -----	13 counsel to any of the parties, nor related to any
14 Reason: _____	14 of the parties, nor in any way interested in the
15 --- --- -----	15 outcome of this action.
16 Reason: _____	16 As witness my hand this 11th day of April, 2019.
17 --- --- -----	17
18 Reason: _____	18  Michele D. Lambie
19 --- --- -----	19
20 Reason: _____	20
21 Job #3269942	21 My Commission Expires: April 29, 2020

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1 Russell, et al. v. Dimensions Health Corp., et al
2 Desire N. Evans
3 ACKNOWLEDGMENT OF DEPONENT
4 I, DESIRE N. EVANS, do hereby certify
5 that I have read the foregoing pages and that the
6 same is a correct transcription of the answers
7 given by me to the questions therein propounded,
8 except for the corrections or changes in form or
9 substance, if any, noted in the attached errata
10 sheet.
11 _____
12 DATE SIGNATURE
13
14
15
16
17
18
19
20
21 Job #3269942